



ommunicated to the Council  
and the Members of the League.]

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Geneva, January 10<sup>th</sup> 1934

LEAGUE OF NATIONS

ADVISORY COMMITTEE ON TRAFFIC  
IN OPIUM AND OTHER DANGEROUS DRUGS

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MINUTES  
OF THE  
NINETEENTH SESSION

Held at Geneva from November 15th to November 28th, 1934.



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<sup>1</sup> The record of the discussions on these questions is not included in this document (see page 60).

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Dr. Bruno SCHULTZ ( <i>Chairman</i> ) . . . . .	<i>Austria.</i>
Dr. CARRIÈRE ( <i>Vice-Chairman</i> ) . . . . .	<i>Switzerland.</i>
His Excellency M. CARNOY . . . . .	<i>Belgium.</i>
His Excellency M. COSTA DU RELS (absent) . . . . .	<i>Bolivia.</i>
Mr. S. W. HARRIS, C.B., M.V.O. (absent), replaced by Major W. H. COLES, D.S.O. . . . .	<i>United Kingdom.</i>
Colonel C. H. L. SHARMAN, C.M.G., C.B.E.. . . . .	<i>Canada.</i>
His Excellency Dr. Hoo Chi-Tsai . . . . .	<i>China.</i>
T. W. RUSSELL Pasha (absent), replaced by Miralai F. D. BAKER Bey, D.B.E., M.C. . . . .	<i>Egypt.</i>
M. Gaston BOURGOIS ( <i>Rapporteur</i> ) (Substitute : M. RAZET) . . . . .	<i>France.</i>
. . . . .	<i>Germany.</i>
Mr. G. S. HARDY, C.I.E., I.C.S. . . . .	<i>India.</i>
His Excellency Senator CAVAZZONI (absent), replaced by M. FERRI . . . .	<i>Italy.</i>
M. YOKOYAMA (Substitute : M. KUSAMA) . . . . .	<i>Japan.</i>
His Excellency Dr. Enrique JIMENEZ (Substitute : M. Manuel TELLO) . . .	<i>Mexico.</i>
M. W. G. VAN WETTUM . . . . .	<i>Netherlands.</i>
M. Vram PILOSSIAN . . . . .	<i>Persia.</i>
His Excellency Dr. Witold CHODZKO . . . . .	<i>Poland.</i>
His Excellency Dr. Augusto DE VASCONCELLOS. . . . .	<i>Portugal.</i>
His Excellency Phya Subarn SOMPATI. . . . .	<i>Siam.</i>
His Excellency M. Julio CASARES . . . . .	<i>Spain.</i>
Major Hugo VON HEIDENSTAM (absent) . . . . .	<i>Sweden.</i>
His Excellency Cemal HÜSNÜ Bey (Substitute : Ohran TAHSIN) . . . . .	<i>Turkey.</i>
Mr. Stuart J. FULLER . . . . .	<i>United States of America.</i>
His Excellency M. Alfredo DE CASTRO (absent) . . . . .	<i>Uruguay.</i>
M. Sava OBRADOVITCH (absent), replaced by M. Bochkó DJORDJEVITCH . .	<i>Yugoslavia.</i>

## Assessors :

Mr. L. A. LYALL (absent).  
Dr. F. Y. M. DE MYTTENAERE.

## Secretary :

M. Eric Einar EKSTRAND, Director of the Opium Traffic and Social Questions Sections.

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## FIRST MEETING (PRIVATE).

*Held on Thursday, November 15th, 1934, at 11 a.m.*

*Chairman : Dr. SCHULTZ (Austria).*

Present : The members of the Committee, except the representatives of Belgium, Bolivia, Germany, Italy, Mexico, Sweden, Switzerland, Uruguay, Yugoslavia, and Mr. Lyall, Assessor.

### 971. Opening of the Session.

The CHAIRMAN, after declaring the nineteenth session of the Advisory Committee open and welcoming the members, proposed to deal in private with the first three items on the agenda.

### 972. Adoption of the Agenda of the Session (Annex 1).

The CHAIRMAN pointed out that the final draft of the agenda showed four additional items as compared with the provisional agenda set out in document O.C.1567, and asked his colleagues, when deciding on the adoption of the agenda, to bear in mind the limited time at the Committee's disposal.

M. VAN WETTUM (Netherlands) was in favour of adopting the draft agenda, provided it was understood that the Committee might adjourn to a later session any items it found itself unable to dispose of during the present session.

Dr. Hoo Chi-Tsai (China) thought the Committee should first decide when it proposed to end its session, and if it were found that the agenda could not be exhausted before that date, the Committee should discuss the questions in the order of their importance, leaving the less urgent to be dealt with at the next session.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) reminded the members that the Committee had in principle decided not to sit more than ten days—say, until November 26th. If two days were allowed for drafting the report and one day for its adoption, the Committee's discussions should theoretically end on November 22nd.

M. CASARES (Spain) pointed out that the Seizures Sub-Committee had still to hold two or three meetings, and time should also be left for the adoption of the provisional Minutes.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) suggested that the wisest course for the present session might be to adopt the draft agenda, subject to M. van Wettum's reservation. If the United Kingdom representative's proposal to appoint an Agenda Sub-Committee were carried, it would in future be easier to submit an agenda more accurately adapted to the circumstances of a particular session.

*The agenda was adopted.*

### 973. Question of the Appointment of an Agenda Sub-Committee: Proposal by the Representative of the United Kingdom (documents O.C./Confidential/6, 6(a) and 6(b)).

The CHAIRMAN invited Major Coles to comment on the United Kingdom proposal.

Major COLES (United Kingdom) thought there was no need to amplify the full explanations already given in the documents. Another League Committee had already tried the experiment with success, and he therefore hoped the Advisory Committee would support the United Kingdom representative's proposal. In that case, the Sub-Committee, which should be a small one, could be appointed towards the end of the present session to report to the plenary Committee on the agenda for the following session.

M. CASARES (Spain) and M. VAN WETTUM (Netherlands) supported the proposal.

Dr. Hoo Chi-Tsai (China) assumed that, if the Sub-Committee were to be a small one, Governments which had proposed the inclusion of questions on the agenda of the Advisory Committee would have an opportunity of explaining and defending their proposals, even though they were not represented on the Sub-Committee itself.

Major COLES (United Kingdom) said that, as the proposal was to appoint a Sub-Committee, it followed that its report would be submitted to the plenary Committee for final decision and adoption.



M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) assured the Chinese representative that the draft agenda as submitted by the Sub-Committee had always to be approved and its final form determined by the plenary body.

M. CASARES (Spain) suggested that, in view of the remarks made by the Chinese representative and the Director of the Opium Traffic and Social Questions Sections, the Sub-Committee would have to be appointed at an earlier date than the United Kingdom representative anticipated, if the adoption of its report were likely to give occasion for a lengthy debate in the plenary Committee.

Dr. Hoo Chi-Tsai (China) signified his acceptance of the United Kingdom representatives proposal on the understanding that the Sub-Committee's report should mention questions which had been deleted from, as well as those which had been included in, the draft agenda.

Major COLES (United Kingdom) thought it could be taken for granted that the Sub-Committee's report would give the reasons for inserting or omitting specific items.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections), referring to M. Casares' assumption that the plenary Committee would have to discuss the draft agenda submitted by the Sub-Committee, pointed out that the usual procedure was for the Sub-Committee to prepare the draft agenda towards the end of a session on the basis of the results of that session's work and for this draft agenda to be circulated in the interval between sessions and discussed only at the beginning of the next session. Provision had to be made, moreover, for the insertion of questions raised in the intervals between sessions and for proposals made by Governments or the Secretariat.

After a further exchange of views, *the proposal of the United Kingdom representative was adopted*, the actual appointment of the Agenda Sub-Committee to be made "as soon as possible".

#### 974. Appointment of a Rapporteur.

M. VAN WETTUM (Netherlands) moved, and Dr. Hoo Chi-tsai seconded, the appointment of M. BOURGOIS (France) as Rapporteur.

*The proposal was adopted unanimously.*

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### SECOND MEETING (PUBLIC).

*Held on Thursday, November 15th, 1934, at 3.30 p.m.*

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Chairman : Dr. SCHULTZ (Austria).

Present : All members except the representatives of Belgium, Bolivia, Germany, Italy, Sweden, Uruguay and Yugoslavia, and Mr. Lyall, Assessor.

#### 975. Changes in the Membership of the Committee.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections), after referring to various members who were unable to attend the session, reported the two following permanent changes.

He regretted to state that Sir John Campbell had resigned his membership on account of the press of official work. He read a letter in which Sir John expressed his deep regret at having to sever his connection with the Advisory Committee after fourteen years' membership and in which he thanked the Committee for its courtesy and friendship and the Secretariat for its assistance.

Sir John Campbell would be replaced by Mr. G. S. Hardy.

M. Ekstrand further reported that Dr. de Myttenaere had taken up his duties as assessor in place of M. Sirks.

M. VAN WETTUM (Netherlands) desired to say a few words in connection with the information given that Sir John Campbell would no longer represent India on the Committee.

Sir John had been a member of the Committee since the beginning. All the members knew him to be a man of great administrative abilities versed in the opium question, an excellent debater, quick in perception, clear and precise in his observations, coming from a courageous mind.

The policy which the Advisory Committee had followed principally in the first years of its existence had been greatly influenced by him. The successful results of the work of the

Committee up to now could not have been, in M. van Wettum's opinion, obtained in the same measure without Sir John's membership.

It was in this spirit that M. van Wettum desired to stress the importance of Sir John's co-operation in the past and to express his feeling of regret at the moment of Sir John's resignation.

M. DE VASCONCELLOS (Portugal) associated himself with M. van Wettum's remarks. He was at the same time glad to welcome the new assessor, Dr. de Myttenaere.

M. KUSAMA (Japan) expressed his personal regret at Sir John Campbell's resignation. There had been many questions on which the Indian and Japanese delegations had not always seen eye to eye, but Sir John Campbell had always dealt with them in a spirit of collaboration in order to achieve the best results.

The CHAIRMAN expressed his heartfelt regret at the loss of Sir John Campbell, who had been a member of the Committee from the beginning, and had helped to build up its work. His great knowledge and administrative capacity had always been placed unstintingly at the disposal of the Committee. The Chairman suggested that a letter might be sent on behalf of the Committee to Sir John Campbell expressing the Committee's most cordial thanks for his past co-operation and its regret at his withdrawal.

Further, the Chairman, while expressing the Committee's gratification at the appointment of Mr. S. W. Harris and Mr. G. S. Hardy, to represent the Governments of the United Kingdom and India respectively, and while regretting that Mr. Harris had been prevented from attending, welcomed Mr. Hardy and Major Coles, who was present as Mr. Harris's substitute. The Chairman greeted Miralai F. D. Baker, who had come to take Russell Pasha's place during the present session.

He also welcomed Dr. de Myttenaere who was, however, not entirely a stranger to the Committee since he had co-operated with it in the past.

Dr. DE MYTTENAERE, Assessor, expressed his appreciation to the Committee for having placed his nomination before the Council. He also thanked the Chairman and M. de Vasconcellos for their words of welcome.

*The Committee decided to request the Secretariat to draft a letter to Sir John Campbell, which would be submitted to the Committee for approval.*

## 976. Consideration of the Progress Report by the Secretary (Annex 2).

The report was considered paragraph by paragraph and gave rise to the following comments.

### I. RATIFICATION OF CONVENTIONS.

Phya Subarn SOMPATI (Siam) said the Siamese Government had now ratified the Bangkok Agreement. The instrument of ratification was not yet deposited but was already in his possession.

M. VAN WETTUM (Netherlands) asked whether the Secretariat had any information as to when Japan and India proposed to ratify this Agreement.

Mr. HARDY (India) said that he had no information beyond what had been stated at the last session by Sir John Campbell. He would endeavour to ascertain the present position and acquaint the Committee with it at a later date.

M. YOKOYAMA (Japan) said his Government was prepared to ratify the Agreement, but the matter was connected with another question relating to the Limitation Convention, of which the Secretariat was aware. The Japanese Government was therefore obliged to postpone ratification.

### II. APPLICATION OF THE 1931 CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS.

#### (a) *Work of the Supervisory Body.*

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) observed that the statement for 1935 drawn up by the Supervisory Body had been communicated to the members of the Advisory Committee. There had been a great improvement in the sending-in of estimates by the fixed date. On August 1st, 1934, fifty-three estimates had been submitted, as against twelve on the same date in the previous year. If further progress were made in this direction, the task of the Supervisory Body would be greatly facilitated.

M. CASARES (Spain) observed that supplementary estimates were not always accompanied by explanations of the circumstances. He thought the Advisory Committee should emphasise this point and possibly make a recommendation to the Council in accordance with Article 3 of the Convention. He pointed out that the Supervisory Body itself was not in a position to report to the Council, and that therefore such a recommendation should come from the Advisory Committee.

It might be combined with a further recommendation that countries be requested to send their estimates, if possible, before the date fixed by the Convention.

Dr. CARRIÈRE (Switzerland) endorsed M. Casares' proposal. As a member of the Supervisory Body, he could speak with authority of the difficulty encountered by that body in establishing estimates for countries which had failed to submit them.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) suggested that members should study the statement for 1935 submitted by the Supervisory Body and subsequently discuss M. Casares' proposal.

M. YOKOYAMA (Japan) proposed that, as the Committee appeared to agree in principle with M. Casares' views, the latter should be requested to prepare a draft resolution.

*This proposal was adopted.*

(b) *Application of Article 18 of the Convention.*

Dr. CHODZKO (Poland) drew attention to the question of the re-export of the seized drugs which had been discussed during the fourth meeting of the last session of the Permanent Central Opium Board. No definite decision had been reached on that occasion, and he thought the question was one which should be discussed by the Advisory Committee. It had been said in the Central Board that the quantities seized were not large. This might be true of 1933, but the position might be entirely changed in any other year.

The CHAIRMAN said an opportunity would be given to discuss this question under Item V of the agenda.

III. ILLICIT TRAFFIC.

(a) *Position in Bulgaria.*

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said the representative of the Bulgarian Government had been invited to attend a subsequent meeting, when this question would be discussed.

(b) *Position in China.*

Dr. Hoo Chi-Tsai (China) said he had just communicated to the Secretariat an English translation of recent regulations promulgated in China regarding the supervision over opium and narcotic drugs. He hoped these regulations would be distributed during the present session before the position in China was discussed.

He desired to make the following changes in the text of the Progress Report :

The words "several laws have been enacted" in the fourth paragraph of this section should read, "several regulations have been enacted".

The words "legislative text" at the end of the same paragraph should read, "text of the regulations".

The words "the cultivation of the poppy is temporarily authorised" in the penultimate sentence of the fifth paragraph of the same section should be followed by the words "in certain provinces".

The CHAIRMAN said these corrections would be made in the final text of the report.

(c) *Application of Chapter IV of the Hague Convention.*

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said that Japan had replied to the questionnaire in respect of Hankow and Tientsin. The document had just been received and would be distributed later.

Dr. Hoo Chi-Tsai (China) understood that this subject came under the permanent Sub-Committee for the Application of Chapter IV of the Hague Convention. He had been requested by the Sub-Committee to obtain certain instructions from his Government. He had done so and would therefore have a communication to make to the Sub-Committee.

(d) *Special Measures against Traffickers.*

Colonel SHARMAN (Canada) said he had drawn the attention of the Sub-Committee on Seizures to a recommendation made last year that the subject of passports should be placed on the agenda of the Advisory Committee. He had been informed that this question could be discussed under the present section of the Progress Report. He therefore made the following statement :

"Since the reference to passports was made at the eighteenth session and the opinion expressed by the Sub-Committee on Seizures that the question was one of importance which warranted its being placed upon the agenda for the coming session, Canada has had several further unfortunate experiences which clearly show that further passport control in relation to international narcotic traffickers is necessary if their activities are to be curtailed as compared with the comparative facility with which they at present move from one country to another, which movements are based upon passports which they have obtained fraudulently or otherwise.

" During the Pincus-Brecher trial in Montreal in September last, we placed a lawyer in the witness-box and showed him two photographs of people whom, after careful examination of the photographs, he swore he had never before seen. We then proved that these photographs were of well-known international narcotic traffickers connected with the Davis-Brecher gang, and, upon asking the lawyer witness to turn the photographs over and read the inscriptions on the reverse side thereof, he found that such inscriptions consisted of his own certification in his own handwriting that the persons were well known to him, the photographs having, in fact, been detached from the original applications for Canadian passports made by or on behalf of these men and as a result of which Canadian passports had been issued and subsequently cancelled.

" Within the last month, we strongly suspected an international drug trafficker who received special international attention, and who was found at Port Said, to be in possession of a Canadian passport, in the name of one of the many aliases which he used and under which name he had been certified by a Canadian physician to be a fit and proper person to receive a Canadian passport, having been known to the physician in question for the preceding sixteen years. As a matter of fact, this man served a sentence for narcotic trafficking at Nice in 1931.

" Also, within the past month, a man was arrested at Shanghai after a considerable search had been made for him, during the course of which it was known that he was travelling on a Canadian passport which was found in his possession at the time of his arrest. The said passport was found to bear the name, or one of the names, under which he was travelling, which, however, differed from the name under which the passport was issued in Ottawa in February 1931. This man admitted that the passport had been issued to another person whose correct name he furnished, that being the name under which the passport had been issued, and claimed that the change had been made at Milan. Enquiries are now being made with a view to ascertaining the identity and present whereabouts of the man in whose name the passport was first issued and the circumstances, including certification, under which the passport was issued in the first instance.

" Serious as these cases are, they are overshadowed in importance by another instance which only came to our attention on November 1st of the present year. The name of Sam Bernstein, alias Butch Bernstein, is doubtless well known to this Committee as that of a narcotic trafficker of long standing. He was, in fact, the man who, posing as the private secretary of Sir Duncan Orr-Lewis at New York, endeavoured to obtain a trunk-load of narcotics from the United States Customs, which had been surreptitiously included in Sir Duncan Orr-Lewis's baggage. He was not successful in obtaining possession of the trunk, which, upon being subsequently opened, was found to contain nothing but narcotics. Bernstein, by this time, had disappeared and is now a fugitive from justice in the United States. Not only the trunk, but the tins of narcotics contained therein, were conclusively shown during the Harry Davis and Pincus-Brecher trials in Montreal to be precisely similar in every respect to the trunks and narcotics involved in the five large shipments made into Montreal by the Davis-Brecher gang.

" The Sir Duncan Orr-Lewis incident took place early in 1930, and extensive efforts, including the issuing of a special circular with photographs of Bernstein and the offer of a reward, have been made for his arrest, but, so far, without success. As a result of special information, however, received on November 1st of the present year, we examined the application for a Canadian passport made on December 16th, 1932, by a person named X Y, who, besides being properly certified, gave his Montreal address and claimed to have been born in that city on August 11th, 1895. A comparison of the photographs which accompanied the application for the X Y passport with those shown on the reward circular for Butch Bernstein indicated unquestionably that they were one and the same person. Immediate steps are, of course, being taken to have this passport cancelled, but it is a remarkable commentary that a fugitive from justice in the United States was able to obtain a passport in another country under another name some two and a-half years subsequently to the commission of the offence for which he is wanted.

" It is obviously impossible to expect a passport control officer to detect such a case as this in the ordinary course of his duties, and, had it not been for the special information which we received, Bernstein would have been at full liberty to travel indefinitely on a Canadian passport under the name of X Y, which name he had not previously used.

" It is, however, suggested that it would be most useful if this Committee could arrange for the attention of Governments to be drawn to the urgent necessity which exists for taking such steps as are possible in relation to this important matter of passports. One suggestion which might be of value would be to ask the Governments to ensure that provision is made for the punishment, not only of those who obtain passports under conditions such as those I have outlined, but particularly to make it possible to prosecute those who certify applications for passports in cases such as these, as it is unquestionable that these narcotic traffickers, frequently not even citizens of the country in which they obtain passports, would be diverted from their activities at the start if they found it impossible to get their applications certified; and I would suggest that it is necessary to create a strong deterrent which, without in any way embarrassing one honest man in certifying to an application for a passport for another citizen of equal honesty, would result in adequate punishment being inflicted upon those who are the direct means by which these passports reach the hands of narcotic traffickers.

"There are doubtless other suggestions of greater value which the experience of the members of this Committee can evolve, and I would like to be allowed to express the hope that we can at this session draft a recommendation to Governments which would adequately control a situation which at the present time is exceedingly serious."

The CHAIRMAN said this was an intricate question, which was not limited to the control over the drug traffic but involved other categories of international criminals.

He recognised the importance of the question and thought the attention of the Governments might be drawn to cases of the kind described by Colonel Sharman.

Mr. FULLER (United States of America) said that, in spite of drastic legislation dealing with complicity in the issue of fraudulent passports, the American authorities had exactly the same trouble as that described by Colonel Sharman.

With regard to Sam Bernstein, mentioned by Colonel Sharman, this man was arrested subsequently to the incident referred to by the Canadian representative and released on bail. He applied to the American authorities for a passport and was informed that no passport could be issued without an order from the judge allowing him to leave the country. He then disappeared, and it was interesting to learn that he had obtained a passport in Canada.

Colonel SHARMAN (Canada) thought the important matter was to take steps against any persons who facilitated the grant of passports to traffickers.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) pointed out that legislation on this subject differed widely in different countries. In Sweden, for instance, a passport could not be obtained on a certificate signed by two persons, but some official document such as a birth certificate had to be produced.

Mr. FULLER (United States of America) said that even such regulations as those mentioned by M. Ekstrand could also be evaded and birth certificates could be forged. Again, persons applying for passports frequently said that they had been born in San Francisco or some other town, where all the records had been destroyed by a natural catastrophe.

M. MONDANEL (France) thought the evil went much deeper than had been stated by Colonel Sharman and Mr. Fuller. There was, as it were, a regular issue of passports and an illicit traffic in passports, just as there were the same two aspects of the trade in drugs. It was not only possible to obtain valid passports by illegal means, but it was also possible to obtain forged passports. Colonel Sharman had referred to Sam Bernstein, who was connected with a trafficker called Polakiewicz, who had been arrested in France. This trafficker had changed his passport every three months, and it was very unlikely that he had in each case applied to the authorities. He had probably obtained his passports from some clandestine printing press or office for the fabrication of passports.

Colonel SHARMAN (Canada) pointed out that Polakiewicz, when arrested, was travelling with a Canadian passport, and his photograph was one of those shown to the lawyer referred to in his preceding statement.

M. CASARES (Spain) thought it was outside the competence of the Committee to discuss the entire passport system, which was connected, not only with the illicit traffic in drugs, but with espionage, counterfeit currency, etc. The matter which concerned the Committee was the facility with which legitimate passports could be obtained by persons known to be drug traffickers. The Committee could merely make a recommendation that countries should not grant passports to international traffickers, of whom they had a list. He was therefore averse to referring this question to a Sub-Committee.

Dr. CHODZKO (Poland) thought the subject could well be referred to a Sub-Committee. The position would no doubt change if measures were adopted similar to those in force in some countries for dealing with persons involved in the traffic in women and children, after they had served their sentence. In some countries, it was proposed to treat them as anti-social persons and send them to labour camps. If criminals, on being released from prison, were given valid passports and were deported, they were free to proceed to other countries and continue their activities. He thought the subject could best be discussed in a Sub-Committee.

M. VAN WETTUM (Netherlands) agreed with M. Casares, but pointed out that a resolution in the sense proposed by M. Casares had already been adopted at the fourteenth session, and a circular had been sent to the Governments.

M. CASARES (Spain) said he did not overlook the recommendation in question, but considered that the subject as a whole was outside the competence of the Committee or of any of its Sub-Committees. It could be dealt with by the Penal and Penitentiary Commission or by the conference for the suppression of the illicit traffic, in which lawyers and police officials would take part.

Dr. CHODZKO (Poland) did not agree. The refusal of passports to traffickers was one of the measures for diminishing appreciably the illicit traffic. Possibly any penalties which the Committee might recommend would subsequently be found applicable to the traffic in

women, counterfeit currency, etc. The Penal and Penitentiary Commission could then co-ordinate the various measures.

M. DE VASCONCELLOS (Portugal) thought there was no great difference of opinion between M. Casares and Dr. Chodzko. Though it was not the Committee's business to go into the entire question, it could bring evidence of the position and leave it to the Council to decide what measures should be taken. The matter was obviously an important one, which required detailed investigation. It was connected with the question of the suppression of the illicit traffic and might be put on the agenda of the conference dealing with that subject.

The CHAIRMAN agreed that the Committee was not called upon to discuss the entire subject, but it could make observations on the question as far as it concerned the illicit traffic in drugs. He therefore suggested that the Sub-Committee on Seizures might deal with the subject.

M. CASARES (Spain) regretted that he could not agree. The question was outside the competence of the Advisory Committee, or the Sub-Committee on Seizures, and he proposed to link it up with the convention on the suppression of the illicit traffic. Any effective measures could only be taken in virtue of an international convention for the purpose.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) thought there was a misunderstanding. The question of passports had already been dealt with by the Advisory Committee, at the fourteenth, fifteenth and sixteenth sessions. It was now merely a question of reminding the Governments of the matter and adding the remarks put forward by Colonel Sharman. There was no intention of going into the entire question.

M. CASARES (Spain) had no objection if the question were put in this manner, but the discussion should remain within the limits of the resolution passed at the fourteenth session. Some members had spoken of birth certificates, finger-prints, treatment after release, etc., and, in his opinion, the Committee was not competent to discuss such matters.

M. VAN WETTUM (Netherlands) thought the question should not be linked up with the convention on the suppression of illicit traffic. The draft Convention had already been sent to Governments for the second consultation. The conclusion of the Convention might be delayed if a new question were raised.

M. DE VASCONCELLOS (Portugal) thought there was no great danger of this, as the conference would be entitled to take up cognate questions when discussing the draft Convention.

*The Committee decided to refer the question to the Sub-Committee on Seizures.*

### THIRD MEETING (PUBLIC).

*Held on Friday, November 16th, 1934, at 10.30 a.m.*

*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Belgium, Bolivia, Germany, Italy, Portugal, Siam, Sweden, Uruguay, Yugoslavia, and Mr. Lyall, Assessor.

#### 977. Consideration of the Progress Report by the Secretary (Annex 2) (continuation).

#### IV. DRAFT INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE ILLICIT TRAFFIC IN DANGEROUS DRUGS.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) stated that the Secretariat was now receiving replies from Governments on the second consultation and that there might be enough answers in January to enable the Council at its January session to decide what further action to take.

The CHAIRMAN announced that, at its meeting in Vienna in September last, the International Criminal Police Commission had agreed on the extreme desirability of concluding an international convention for the suppression of the illicit traffic in dangerous drugs and had deliberately refrained from making a detailed examination of the draft in order not to delay its adoption.

#### V. POSITION IN REGARD TO INDIAN HEMP.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) announced that document O.C.1542(c), relating to this matter, would shortly be circulated to the members of the Committee, and suggested that this subject might be discussed in connection with Item XIV of the agenda on Monday next.

# VI. PREPARATIONS FOR A CONFERENCE TO CONSIDER THE POSSIBILITY OF LIMITING AND CONTROLLING THE CULTIVATION OF THE OPIUM POPPY AND THE CULTIVATION AND HARVESTING OF THE COCA LEAF.

## (a) *Opium.*

Dr. CARRIÈRE (Switzerland) explained that the absence of Switzerland from the list of countries which had replied to Circular Letter 234.1933.XI was due to a misunderstanding ; the Swiss authorities had assumed that the questionnaire was intended for producing countries only. A reply would shortly be communicated.

M. KUSAMA (Japan) announced that a report had just been received from the Japanese Government giving particulars in respect of Chosen and Formosa and would be transmitted to the Secretariat as soon as it was translated.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) drew attention to the fact that no replies had been received from Persia, Turkey or Yugoslavia, and that India had only acknowledged receipt of the questionnaire.

The CHAIRMAN, referring to the concluding sentence of the last paragraph of this section of the report, assumed that members would unanimously desire the letters of reminder to be sent out, and urged the representatives of the countries just mentioned by the Director to arrange for the necessary replies to be sent by their Governments.

*The Chairman's proposal was adopted.*

## (b) *Coca Leaves.*

Replying to a question by Dr. CARRIÈRE (Switzerland) as to how the opinion expressed by Uruguay regarding stricter supervision over consumption was to be understood, M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) explained that the remark in question only applied to legislation in Uruguay itself.

M. Ekstrand added that the "further information" referred to in the last paragraph of Section VI would be needed in the event of a Government or Governments having omitted to supply some of the particulars required for the final documentary survey of the position.

The CHAIRMAN inferred that the Secretariat would be authorised to secure this additional information where necessary.

*Agreed.*

# VII. PAMPHLET RELATING TO THE LEAGUE'S WORK IN COMBATING THE TRAFFIC IN NARCOTICS.

M. VAN WETTUM (Netherlands) had recently had his attention drawn to a notice in a Dutch publication of a special pamphlet issued by the Information Section of the Secretariat on April 26th last describing the work done by the League in combating the drug traffic and had obtained a mimeographed copy of this document from the Opium Section. The document was, on the whole, a very competent production, though it was a mistake to say, as on page 6, that the coca leaf grew wild in certain parts of Java. He thought it most important that such documents should be issued in close co-operation with the Opium Advisory Committee. Could such co-operation not be ensured in the future ?

M. BOURGOIS (France) enquired if there were any precedents for the Information Section producing such documents.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) explained that it was part of the duty of the Information Section to issue documents and pamphlets describing the various activities of the League of Nations, and there were definite regulations governing the issue of these publications on which he would prefer the Committee to hear a statement from the authorities of the Section concerned.

On the invitation of the Chairman, M. PELT (Director of the Information Section) came to the table of the Committee, and gave a brief explanation of the principles which governed the work of the Information Section. All meetings of League Committees or organisations were attended by a member of the Section, whose duty it was to draft a *communiqué* for the Press on the work done at the meeting attended. If any doubt arose on a point of fact in, or on the actual form of, a *communiqué*, the Information Section first consulted the Director of the Section concerned before issuing the *communiqué*. These principles had operated for fourteen years past and had very seldom given cause for dissatisfaction. Any proposal to change the system would have previously to be approved by the Secretary-General.

The same rules applied to the special publications occasionally issued ; these were compiled with the approval of and after consultation with the Director of the Section concerned.



It had, furthermore, to be borne in mind that the *communiqués* of the Information Section were intended primarily for the Press, and it was vitally important that they should be issued without delay if their value was not to be seriously impaired. If the Information Section had first to submit all its published matter for a Committee's approval, general League publicity would suffer as well as the cause which the particular Committee had at heart.

The document referred to in Section VII of the Progress Report was a special document published in accordance with a specific recommendation of the fifteenth Assembly.

M. VAN WETTUM (Netherlands) repeated that he was referring to an entirely different document in the publication of which considerations of time should not, he thought, be so important as in the case of ordinary *communiqués*. He held very strongly that, in order to ensure that the contents of such propaganda documents were absolutely correct, the text should be submitted at least to the Director of the Opium Section if it were impossible to consult the Advisory Committee as a whole.

M. CASARES (Spain) said that there was no idea of criticising or interfering with the present system for the publication of *communiqués* by the Information Section on its own responsibility. Section VII of the Progress Report dealt with the special question of giving wider publicity to the Fifth Committee's report to the last Assembly summarising the work so far accomplished by the League in the campaign against narcotics. It was recommended that this report "be published by the Information Section of the Secretariat with the necessary changes or adjustments, in the form of a pamphlet for general distribution", and it might safely be assumed that the Information Section would consult the Opium Section as to what changes or adjustments were required in recasting the report for public circulation.

M. PELT (Director of the Information Section) confirmed that the report had actually been drafted in close collaboration with the Opium Section. As the Fifth Committee had omitted to ask for a special appropriation to meet the cost of publication, the report had been issued, not in pamphlet form, but as an annex to the *Monthly Summary*.

The document referred to by M. van Wettum had been compiled on the same lines as other publications of the Information Section and in collaboration also with the Opium Section. It had not been specially circulated to the members of the Advisory Committee, as it was intended primarily for the Press, but he would be glad to arrange in future for the members to receive copies of such publications.

Dr. CHODZKO (Poland) asked whether the Opium Section had seen the document referred to by M. van Wettum before its publication by the Information Section. He put the question because, in addition to the mistake to which M. van Wettum had drawn attention, a slip seemed to have been made in the concluding paragraph of the French text (page 15) in referring to the League's struggle against "opium and drugs", instead of "abuse of opium and drugs".

Further, the issue of the Fifth Committee's report to the Assembly in the form merely of an annex to the *Monthly Summary* virtually nullified its value for publicity purposes. He would like to know how many copies of the *Monthly Summary* would be published and what would be the extent of its circulation. The Fifth Committee, moreover, had recommended that the report should be published in other languages besides English and French.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) replied that he had read the English text of the Information Section's publication of April 26th, 1934, but had unfortunately overlooked the erroneous reference to coca plants growing wild in Java. It was, of course, common knowledge that in Java there were hedges of cultivated coca plants. He regretted that the French version contained certain errors of translation such as that referred to by the Polish representative, and also that Switzerland was omitted from the list of countries represented on the Advisory Committee. He had seen only the English text and was not responsible for the French translation. He inferred from the discussion that, in future, documents published by the Information Section in collaboration with the Opium Section should be communicated to members of the Opium Advisory Committee.

M. PELT (Director of the Information Section) apologised for the defects in the French text of the document of April 26th, 1934.

In reply to Dr. Chodzko's query, he could assure him that the *Monthly Summary* and also any annexes issued therewith had a very wide circulation and were published in the English, French, German, Italian, Spanish and Czech languages; in this case, the Section concerned had asked for extra copies for additional circulation over and above the several thousand copies which were distributed normally.

In view of the unfortunate omission referred to by the Director, Dr. CARRIÈRE (Switzerland) asked that it be put on special record in the Minutes of the present meeting that Switzerland had been a member of the Advisory Committee practically from the very outset.

The CHAIRMAN thanked the Director of the Information Section for the valuable contribution he had made to the Committee's discussions. The debate, he thought, had served



a useful purpose in emphasising the value of judicious co-operation between the Information and Opium Sections in the issue of documents intended for public circulation.

*The Committee adopted the Secretary's Progress Report, subject to reconsideration of the sections dealt with under separate items of the agenda.*

**978. Work of the Committee of Experts for the Standardisation of Methods for determining the Morphine Content of Raw Opium.**

Mr. FULLER (United States of America) asked whether the Secretariat could state what was the position of the work of the Special Committee of Experts appointed to devise uniform methods of assay for opium and coca leaves.

Mr. Duncan HALL (Secretariat) said that the Committee in question had met recently at Berne, but, according to information given by the Health Section, the Committee had not had time to consider the matter referred to by Mr. Fuller. A further meeting would, however, be held.

**979. Questions arising out of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs (July 1931).**

**A. FORM OF ANNUAL REPORTS BY GOVERNMENTS TO BE DRAWN UP IN ACCORDANCE WITH ARTICLE 21 OF THE CONVENTION (documents O.C.1501(2), (3), (4)).**

After noting the explanation of the Director of the Opium Traffic and Social Questions Sections that document O.C.1501(4) contained supplementary information obtained from certain Governments, the Committee decided, on the proposal of M. VAN WETTUM (Netherlands), to await the report on this question to be submitted by the Sub-Committee on the Form of Annual Reports.

**B. APPLICATION OF ARTICLE 10 OF THE LIMITATION CONVENTION (Appendix I to Annex 2).**

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) announced that, according to information just received, the German Consul at Geneva would shortly submit a report on the German Government's experiences in connection with the export and import of diacetylmorphine.

M. VAN WETTUM (Netherlands) said that the Netherlands authorities had experienced the same difficulties as the Governments mentioned in Appendix I to the Progress Report, owing to the fact that the printed text of paragraph 2 of Article 10 omitted the words "and the quantity so exported" inserted in the text of the document before the Committee. The Council having decided to ask Governments to state, before the end of December 1934, whether the words in question could be deemed to have been added, he suggested that consideration of this question be adjourned until the spring session, 1935, when it would be clear what exact meaning Governments attached to the paragraph in question.

Mr. Duncan HALL (Secretariat) confirmed that the text as reproduced in Appendix I to Annex 2 was that by which the Committee would like Governments to be guided. He suggested that it might be of interest to the members of the Advisory Committee to know also what difficulties had been experienced by importing countries in contrast to the difficulties of exporting countries outlined in the document under discussion.

Colonel SHARMAN (Canada) agreed with M. van Wettum that discussion of the question should be adjourned to the spring session, in view of the Circular Letter sent to Governments by the Secretary-General, and particularly in view of the sensible tentative arrangements made by exporting countries in face of the neglect of importing countries to apply the strict provisions of Article 10. The Canadian authorities had found that, although they made the special request to exporting countries and issued an import licence for the supply of diacetylmorphine only to a Government department, the drug had been consigned direct to private firms, and it was only due to the precaution adopted by the police authorities of taking over narcotics on arrival that a wholesaler was found to be getting diacetylmorphine which had been ordered for a Government department.

Mr. FULLER (United States of America) said it would be remembered that, while diacetylmorphine could not be imported into the United States of America, the import was permitted into the Philippines. A case had occurred where an import certificate had been submitted without a request from the Philippines Government department and the heroin had been sent direct to a commercial firm. The facts only came to light when the consular invoice was subsequently submitted for certification. The American authorities would accordingly ask exporting countries to note that, if a request were received for exportation to the Philippines of diacetylmorphine without a Government authorisation accompanying it, no export should

be permitted and the American Government should be informed. He agreed that, as the measures described in Appendix I to Annex 2 were only temporary, it would be better to revert to the question at the spring session.

In reply to a query by Dr. Chodzko (Poland), Mr. Fuller added that full reports of this case were not yet available, but when they were received other Governments would be duly informed of the regulations applied by the United States authorities.

The CHAIRMAN said it seemed to be the general desire that consideration of this subject should be adjourned to the session to be held in the spring of 1935, when the replies to Circular Letter 87 of June 15th, 1934, on the subject would be available. His own personal view as regards paragraph 2 of Article 10 was that the opening words "on the receipt of a request from the Government of any country" made it sufficiently clear that a direct application from a Government was necessary.

Dr. CARRIÈRE (Switzerland) said it was the general experience that, when the Convention came into force at the beginning of 1934, the text of Article 10 was far from clear. In those circumstances, exporting countries had not felt justified, during the phase of transition, in strictly applying Article 10, and had adopted temporary expedients of various kinds. He would, however, point out that the Swiss authorities had only applied the expedient once in the case of each country and no second request would be granted. Swiss exports of diacetylmorphine, he added, had almost entirely ceased.

*The question was adjourned till the spring session, 1935.*

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#### FOURTH MEETING (PUBLIC).

*Held on Saturday, November 17th, 1934, at 10.30 a.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Belgium, Bolivia, Germany, Portugal, Sweden, Uruguay and Mr. Lyall, Assessor.

980. Welcome to the Representative of Yugoslavia.

The CHAIRMAN welcomed M. Djordjevitch, representative of Yugoslavia.

981. Questions arising out of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs (July 1931) (continuation).

#### C. NOTIFICATION, UNDER ARTICLE II OF THE LIMITATION CONVENTION, OF THE MANUFACTURE OF A NEW DRUG, "DELCAINE" (Appendix II(a) to Annex 2).

The CHAIRMAN opened the discussion on the rather intricate problem raised by the notification received from the French Government regarding the manufacture in France of a new narcotic drug, "delcaine".

Mr. FULLER (United States of America) read the following statement :

The American Government studied with interest the notification sent out on July 20th, 1934, by the Secretary-General in regard to the drug to which the trade name of delcaine has been given.

This drug is stated by the French Government to be "made from hydrochloride of dextro-rotatory pseudo-cocaine". It has been described by reliable French authorities on pharmacology as being the hydrochloride of dextro-rotatory pseudo-cocaine, which latter is a stereoisomer of cocaine.

Delcaine is thus understood to be a drug very similar to psicaine, which is the tartrate of dextro-rotatory pseudo-cocaine.

Neither delcaine nor psicaine would be permitted to be imported into the United States, since these drugs may be considered as derivatives of coca leaves, and their importation would therefore be prohibited under the Narcotic Drugs Import and Export Act.

So far as American authorities are informed, no tests have been made to determine whether delcaine possesses addictive qualities, but, as a matter of information, the attention of the Committee is invited to studies made by Dr. K. Beringer and K. Wilmanns as reported in "Munchn. mediz. Wochschr.", 1924, S.852, and cited by Dr. Georg Trier, in *Die Alkaloide*, 1927. This author states that, in experiments on students, Beringer and Wilmanns found only in the case of natural lævo-cocaine the phenomena of euphoria, which might lead to habitual use (page 324, *Die Alkaloide*, 1927).

Furthermore, it may be pointed out that, while deleaine is capable of conversion into one or more of the derivatives of lævo-ecgonine, the highly technical process involved would not be commercially profitable.

Evidence is understood to exist in medical literature that psicaine, which is almost an equivalent of deleaine, has scientific and therapeutic value, but experience with it in the United States is so limited that no opinion can be given regarding this phase of the subject.

In view, therefore, of the very limited data so far available in regard to delcaine, I venture to suggest the desirability and advisability of having before the Committee additional information. With that end in view, I submit for the consideration of, and discussion by, the Committee under this item of the agenda the following questions :

(1) Has any Government determined that delcaine is not capable of producing addiction and is not capable of conversion into a product capable of producing addiction ?

(2) Is deleaine capable of conversion into one or more of the derivatives of lævo-ecgonine ?

(3) What is the medical or scientific value or therapeutic use of delcaine and is it thought to offer a non-habit-forming substitute for cocaine ?

(4) Why is it considered necessary to exercise special control over the manufacture of delcaine ?

(5) If deleaine is manufactured from coca leaves, what steps have been or will be taken to prevent manufacturers from using such leaves to manufacture cocaine while claiming that the leaves are used to manufacture deleaine ?

(6) Is cocaine or lævo-ecgonine produced or used at any stage of the manufacture of delcaine ?

M. BOURGOIS (France) explained that delcaine was at the moment used for research purposes only and the sales amounted to only a few dozen grammes in France itself. Strict supervision, moreover, was exercised both as regards the quantities sold and the purchasers (mainly eminent medical practitioners), the idea being to check the exact amount of coca leaves needed for manufacturing the drug. It would be realised that experimental work of this kind might have very important results if it were found possible to produce a drug which, while useful for medical purposes, did not lead to addiction. He imagined that, for the moment, the Committee need only hear any declarations members wished to make on the subject, but would have to refer the technical aspect of the problem to the Health Organisation and the *Office international d'Hygiène publique*.

Dr. CARRIÈRE (Switzerland) proposed to confine his remarks mainly to the technical aspect of the problem raised by the appearance of the new drug, delcaine. The question which would have to be decided by the Permanent Committee of the *Office international d'Hygiène publique* in Paris, and the Health Organisation at Geneva, was whether delcaine was a habit-forming drug, and, if not, whether it was convertible into such a drug. Theoretically, the point might be taken as settled by the fact that deleaine was a derivative of dextro-rotatory pseudo-cocaine, which was not a dangerous drug. The only questions still to be decided were whether delcaine should be treated as an exception to the rule, and whether it was possible to convert a dextro-rotatory cocaine derivative into lævo-ecgonine. On those points it was the Advisory Committee's duty to await the decision and report of the Paris Committee.

The second question was the identity of deleaine and psicaine. They were both salts of the same base, psicaine being a salt of dextro-rotatory pseudo-ecgonine and, according to the statement of M. Knaffl-Lenz, now very little used. Delcaine, on the other hand, appeared to be coming into fashion, but was only manufactured in small quantities and strictly controlled by the French Government.

The third question was that raised by the Netherlands Government as to the possible identity of delcaine with depscaine. It was probable that depscaine might be a third salt of dextro-rotatory pseudo-ecgonine.

Dr. Carrière would prefer not to touch on the legal considerations raised in Appendix II of Annex 2, particularly as the co-existence of the two Conventions of 1925 and 1931 complicated the situation to a high degree. Depscaine was apparently manufactured before 1925 and it was questionable whether it fell under either Convention. These points could only be decided by experts.

Dr. DE MYTTENAERE (Assessor) said that, in 1931, he had acted as Vice-Chairman of the Technical Committee which had worked out, on the basis of the definitions already contained in the 1925 Convention, the definitions adopted for the various narcotic drugs in the 1931 Convention. That Committee had been composed, not only of the technical experts of the various delegations, but had also had the assistance of outside experts, such as Messrs. Dixon, Tiffeneau, Knaffl-Lenz and Wolff. If members referred to the 1931 Convention, it would be seen that the definitions given of "cocaine" and "ecgonine" indicated that in both cases reference was made to lævo-cocaine and lævo-ecgonine. From this it followed that the Technical Committee's definitions did not cover dextro-rotatory substances. There could be no confusion between lævo-rotatory and dextro-rotatory ecgonine, as their melting-points were absolutely different. Further, in like conditions, the one substance gave a precipitate

from its solutions, whereas the other did not. Thus, delcaine and psicaine were dextro-rotatory derivatives and could not legally be brought under the Convention except with the explicit agreement of all or the majority of the signatories to the Convention. The question whether a dextro-rotatory could be converted into a lævo-rotatory derivative was not very material, as the additional process involved would make the cost of manufacture prohibitive. To his mind, the question was not so much whether delcaine or psicaine or depscaine came under the Convention as whether the dextro-rotatory pseudo-cocaine base of all these salts was a dangerous drug and should be brought under the Convention. The salts of dextro-rotatory pseudo-cocaine should, in fact, be treated similarly.

M. VAN WETTUM (Netherlands) thought that the first question for the Committee to decide was whether delcaine came under the 1931 Convention at all. The French Government had reported it in accordance with Article 11. The "ecgonine alkaloids" referred to in paragraph 1 of this article must, however, be taken to mean alkaloids of lævo-ecgonine according to the definition given in Article 1. Could the French representative state why the French Government had decided to report the manufacture of a derivative of dextro-rotatory cocaine when the Convention applied only to the opposite kind?

M. BOURGOIS (France) referred to the words in paragraph 1 of Article 11: "Any product obtained . . . coca leaf". He admitted that the ecgonine alkaloids in question were alkaloids of lævo-ecgonine and that the new product was thus, in principle, exempt from the provisions of the Convention.

M. RAZET (France) pointed out that the notification was made by the French Government under paragraph 2 of Article 11.

Dr. CARRIÈRE (Switzerland) admitted that, to anyone unacquainted with the genesis of the text, paragraph 1 of Article 11 might seem ambiguous, and it might have been better to amplify the term "ecgonine alkaloids" to make it perfectly clear that they were the alkaloids of ecgonine as defined in Article 1.

With reference to the statement made by M. de Myttenaere, he might point out that, when the Paris Committee had given its expert opinion on the technical point referred to it, the Advisory Committee or another body would then have to decide the further point how the substance could be brought under the operation of the 1931 Convention.

He ought also to mention another complication—while delcaine was manufactured direct from the coca leaf, the German product psicaine was the result of a synthetic process.

The CHAIRMAN suggested that, in view of the very technical nature of the question and the complicated legal and administrative issues involved, it would be preferable to refer it to a special Sub-Committee.

M. VAN WETTUM (Netherlands) doubted whether there was any point in doing so until the finding of the Paris Committee had been received.

Major COLES (United Kingdom) also thought it preferable to await the report of the technical experts before appointing a Sub-Committee.

Dr. CARRIÈRE (Switzerland) pointed out that the matter was not urgent, as neither psicaine nor delcaine was widely used.

Mr. Duncan HALL (Secretariat) said that, in the event of a decision being taken by the Paris Permanent Committee before the matter was reconsidered at the Advisory Committee's next session, the Secretariat would need to know whether the Secretary-General should take action under Article 11, paragraph 5, or whether the notifications there referred to should be postponed until the Advisory Committee had considered the legal and administrative aspects of the matter. As the Advisory Committee wished to revert to the matter, it was assumed that the notification would not be sent out until this had been done.

Dr. DE MYTTENAERE (Assessor) reminded the Committee that, in 1931, the Technical Committee had definitely ruled that dextro-rotatory derivatives of cocaine were not habit-forming and it was very unlikely that this finding would be controverted by the Permanent Committee of the Office international d'Hygiène publique. If it were, then, of course, prompt steps would have to be taken to bring all such drugs within the scope of the Convention.

The CHAIRMAN, in view of the opinions expressed, withdrew his suggestion regarding the appointment of a Sub-Committee and inferred that the Advisory Committee would adopt M. van Wettum's proposal to await the finding of the Paris experts and the Health Organisation on the technical aspect of the problem.

*Agreed.*

#### D. NOTIFICATION BY THE TURKISH GOVERNMENT OF THE MANUFACTURE OF A DRUG SIMILAR TO PANTOPON AS REGARDS ITS COMPOSITION (Appendix II(b) to Annex 2).

*The Committee approved the draft reply to the Turkish Government included in Appendix II(b).*

982. Recommendations contained in the Final Act of the Bangkok Conference, except Recommendation X regarding Scientific Research (document O.C.1537, reproduced on page 91 of the Minutes of the Eighteenth Session of the Committee, document C.317.M.142.1934.XI).

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) reminded the Committee that the present position as regards these recommendations was as follows :

*Recommendation I : Limitation of the Cultivation of the Opium Poppy.*

No action was required, the question having already been taken up by the Advisory Committee.

*Recommendation II : Licensing and Rationing of Smokers.*

In view of the legislative changes that had occurred in the various territories since the report of the Commission of Enquiry was issued, the Advisory Committee might wish the Secretariat to make a study of this point with a view to ascertaining the present situation in each territory in this respect.

*Recommendation III : Registration of Smokers and Recording of Sales.*

Action might be taken similar to that suggested in the case of Recommendation II.

*Recommendation IV : Combating Opium-Smoking by raising the Standard of Living and improving the Medical and Health Services.*

As this was a general recommendation, no action would seem to be called for at the present moment. The point was met by the new form for annual reports of prepared opium (cf. point II of the form).

*Recommendation V : Special Opium Account.*

Some Governments were already sending in these accounts. The Secretariat might, in a memorandum submitted at the next session, indicate the action taken by the various Governments concerned.

*Recommendation VI : Increase of Penalties for Illicit Traffic.*

Similar action to that suggested in the case of Recommendations II and III might be taken.

*Recommendation VII : Collection of Dross and Test for determining the Character of Dross collected.*

In regard to the first part of this recommendation, the Secretariat might be asked to take the same action as in the case of Recommendations II, III and VI.

The second part would presumably be covered by the research to be instituted in accordance with Recommendation X. No special action would, therefore, seem to be necessary.

*Recommendation VIII : Co-operation in regard to Illicit Traffic between the Authorities in the Territories concerned.*

The Secretariat might be asked to study to what extent this recommendation was applied. The information required would, as previously, be given in the annual report.

*Recommendation IX : Treatment of Opium Smokers.*

The Secretariat might be asked to study on the basis of the annual reports what steps had been taken and to submit this information to the Advisory Committee at its next session.

*Recommendation X : Scientific Research.*

This point was already being dealt with by the Advisory Committee and the Health Committee.

*Recommendation XI : Annual Reports.*

The new form had already been established and would be used by Governments for the first time for the 1933 reports.

M. Ekstrand added that Item VI had been inserted on the agenda because the recommendations in the Final Act of the Bangkok Agreement were of such importance that they should not be overlooked.

In reply to a remark by the Netherlands representative, M. Ekstrand pointed out that the recommendations in the Final Act were not dependent on the coming into force of the Bangkok Agreement. Governments were supposed to start applying them, whether the Agreement was in force or not. He agreed with M. van Wettum that it would be premature to ask for data which would be contained in annual reports. The Secretariat had merely wished to prepare memoranda on already existing material for the Advisory Committee's next session, which would give the members a complete idea of the actual situation, and enable them to decide whether further information was required.

The CHAIRMAN assumed that the Secretariat would be authorised to draw up the memoranda suggested.

*Agreed.*

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## FIFTH MEETING (PUBLIC).

*Held on Monday, November 19th, 1934, at 10.30 a.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Bolivia, Germany, Sweden, Uruguay and Mr. Lyall, Assessor.

### 983. Abolition or Restriction of the Use of Diacetylmorphine.

The CHAIRMAN announced that the Austrian Government had just furnished the Secretary-General with a reply to Circular Letter 61.1934.XI, of May 7th, 1934, to the following effect. When the Austrian Supreme Health Council (Oberster Sanitätsrat) was asked in 1926 for its opinion on the subject of alternatives for diacetylmorphine, it expressed the view that, as compared with other drugs containing morphine, diacetylmorphine offered no advantages from the medical standpoint and could therefore safely be replaced by other medicaments. The same view had been taken by Austrian pharmacological and medical experts. Accordingly the Austrian delegation was one of the delegations at the 1931 Conference which had pressed for restrictions in the use of diacetylmorphine.

The Austrian authorities had now gone a step further and deleted diacetylmorphine from the list of drugs that could be dispensed to the members of sickness insurance funds. The effect was to stop diacetylmorphine being used on medical prescriptions by any members of the said funds, or, in other words, by all destitute individuals.

### 984. Institutions for the Treatment of Drug Addicts.

Mr. FULLER (United States of America), complying with the Chairman's request, made the following statement :

In view of the interest taken by the Committee in the establishment in the United States of institutions for the treatment of victims of narcotic addiction, I venture to present a brief statement concerning the progress being made in the development of the two institutions of this character which are being erected by the Federal Government. This statement was sent to me by Dr. W. L. Treadway, Assistant Surgeon-General of the Public Health Service, who is the Chief of the Division of Mental Hygiene.

The first of these institutions is still in process of construction at Lexington, Kentucky. The construction work will be completed early this winter, approximately by the middle of January, and plans are being made to receive admissions on or about April 1st, 1935.

The Medical Officer-in-Charge was appointed effective October 1st, 1934, with a minimum of additional personnel preliminary to equipping and furnishing the institution and making it ready for the reception of admissions.

Those to be admitted at the Lexington institution include persons who are addicted to the use of habit-forming narcotic drugs who have been convicted and sentenced for offences against the United States ; those addicts who have served their sentence but elect to continue further treatment ; those addicts who are placed on probation by courts having jurisdiction, one condition of probation being that they accept treatment at this institution ; and those persons who are addicts and voluntarily seek treatment. No regulations have been promulgated, as yet, governing the admission of voluntary cases, but it is anticipated that the Secretary of the Treasury will issue such regulations before the close of the calendar year.

In anticipation of the opening of the Narcotic Farm at Lexington, the special research studies on the problems of drug addiction have been continued at the United States Penitentiary Annex, Fort Leavenworth, Kansas, where all addicts in the Federal prison system have been

segregated. These research studies bear a relation to the phenomena of withdrawal seen when opium is abruptly discontinued, and certain experimental studies with reference to the modification of metabolism in its relationship to the severity of withdrawal symptoms have been made. Studies have also been carried on concerning the value of substituting other products for those of the drug of addiction. The addiction liability of codeine has already been the subject on a special report. Other substances, including dihydromorphinone and dihydrodesoxymorphine-D, indicate that these substances have addiction liabilities.

His colleagues would recollect, Mr. Fuller interjected, that, at the Committee's last session, he had referred to experiments which were being made with dihydrodesoxymorphine-D ; it now appeared that this substance might prove to be habit-forming.

The statement continued :

The seventy-third Congress appropriated money for public works, out of which an allotment of \$1,500,000 was made for the initial buildings at the second Narcotic Farm, Fort Worth, Texas. Plans are being made for the erection of the necessary buildings, and it is anticipated that work will begin there on October 27th, 1934.

Dr. CHODZKO (Poland) congratulated Mr. Fuller and the United States authorities on the progress made in this connection and enquired how many beds were provided in the Lexington and Fort Worth institutions. Were the sexes accommodated separately? He added, for the Committee's information, that the Polish Government had recently established two sanatoria for drug addicts, one at Swiack, near Grodno, with accommodation for 100 men patients and another at Gosciejeno, in the Voivodeship of Poznań, for 42 women. Victims of alcoholism were also admitted and, so far, voluntary treatment only was given. He submitted for the archives of the Secretariat a photograph of the men's sanatorium at Swiack (Swiatzk).

Mr. FULLER (United States of America) replied that both institutions would have women's sections, and it was hoped eventually to treat one type of addict in the Kentucky and another type in the Texas sanatorium ; details regarding this distinction would be supplied for the Committee's next meeting. The Lexington institution would probably accommodate from 1,800 to 2,000 patients, with provision for enlargement, while the Fort Worth Farm would hold 2,000 patients and be capable of expansion on the unit system.

Phya Subarn SOMPATI (Siam) asked the Polish and United States representatives whether the cost of treating drug addicts was borne by the State or by the addicts themselves.

Mr. FULLER (United States of America) replied that, in the case of drug addicts who had been convicted for an offence of any kind or who had been put on probation, the Government paid the cost of treatment, but voluntary patients would probably have to pay at least part of their expenses.

Dr. CHODZKO (Poland) confirmed that the Polish sanatoria were open to voluntary patients only, who therefore paid all the cost of treatment. In Poland, drug addiction was only practised by people with some means. Ether addiction, on the other hand, was more widespread among the poorer classes, and he took this opportunity of asking his colleagues on the Committee to be good enough to supply him privately with any data they possessed on this problem, which was, of course, outside the province of the Advisory Committee.

#### 985. Situation as regards the Control of Indian Hemp and Indian-Hemp Drugs.

The CHAIRMAN pointed out that, on this very important subject, the Committee had been supplied with document O.C.1542, which was a very exhaustive study of the chief aspects of the problem of Indian hemp and the various national regulations in force on the subject ; document O.C.1542(a), which was a summary of the former document ; document O.C.1542(b), which reproduced a decree of August 28th, 1934, issued by the High Commissioner of the French Republic at Beirut to regulate the manufacture, possession, importation and exportation of narcotic drugs in Syria and the Lebanon ; document O.C.1542(c), giving the replies of various countries to document O.C.1542 ; document O.C.1542(c), Addendum, which was a memorandum from Mr. Fuller on the abuse of *cannabis* in the United States ; and, lastly, the report of the Fifth Committee to the Assembly.

He would not attempt to summarise the voluminous documentation thus laid before the Committee, but merely draw attention to the following points. The physical extent of the problem was shown by the statement on page 6 of document O.C.1542(a) that the number of persons consuming hemp drugs was now 200 millions. The effects of addiction to hemp or hashish preparations could also be gathered from a statement on page 10, paragraph 1, of the letter from M. van Wetsum reproduced in document O.C.1542(c), and an interesting sidelight was thrown on this aspect of the problem by the facts given in the United States representative's interesting memorandum (cf. page 4, paragraphs 4 and 5, of document O.C.1542(c), Addendum). Finally, the reports of the Egyptian Narcotics Intelligence Bureau had always supplied the



Committee with extremely valuable information. He called on Baker Bey to comment on the situation of the illicit traffic in Egypt in Indian hemp.

BAKER BEY (Egypt) made the following statement :

May I say, by way of introduction to my remarks, how very flattered I am to have your invitation to address this assembly ? I feel, first of all, in view of the great number of other topics of urgent and worldwide importance which have been set down for discussion at this session, that a signal honour has been conferred on the country which I have the honour to represent in calling on me to speak at this early stage in our proceedings.

Another thing which has not only afforded me the greatest delight but has, at the same time, dissipated certain misgivings which I may perhaps be pardoned for having entertained prior to my first appearance amongst you has been the extraordinary warmth of the welcome I have received. I am not, however, so selfish as to wish to claim this entirely for myself, for I do not forget that I am appearing here as an understudy. The appreciation of my chief's, Russell Pasha's, vivid personality and unflagging enthusiasm for the cause he has at heart has, I feel, been in full measure reflected in the reception accorded to myself.

In responding to your invitation, I propose to confine my remarks to the hashish situation as it affects, and as it is viewed by, Egypt to-day.

Let me explain, first of all, what we in Egypt mean by hashish. We mean the flat cake of compressed resinous powder extracted from the flowering top of the female plant of the variety *indica* of the species *Cannabis sativa*. We do not grow the plant in Egypt, nor do we prepare the hashish thus described. It comes to us in two forms—the flat cake or "turba" varying in weight from half a kilo to 2 kilos, and the "pantoufle" weighing generally about  $\frac{1}{2}$  kilo. In either form it is sown up in a thin linen covering, which generally bears some distinguishing mark impressed upon it by means of a rubber stamp or a stencil. It may and frequently does receive further covering, this depending on the method by which it is intended to be introduced into Egypt.

If immersion in the sea is anticipated, for instance, a tight covering of oiled silk may be bound around the inner linen covering. The "pantoufle" form deserves a few remarks in passing. The reason for the adoption of this particular shape by smugglers may probably be ascribed to the fact that, years ago, crews of vessels arriving at Egyptian ports used to walk ashore wearing a kind of cheap rope-soled shoe with canvas uppers such as may be bought in any Mediterranean port. The hashish "pantoufle" cut and pressed to fit these shoes could be inserted beneath the sole of the foot and the result was at first not easily detected. Although the trick, once detected, obviously lost its value, the "pantoufle" form has been retained, and has come to be accepted as a kind of trade shape which indicates hashish of a superior quality generally known as Stamboul.

Having considered the nature and the form of hashish as it is known in Egypt, let us turn to its preparation. This is carried out in the following manner :

Towards the end of the month of September the plant arrives at maturity. It then takes on an amber-coloured tint and becomes sticky. The seeds are examined with a view to determining the degree of ripeness, and, when this is satisfactorily confirmed, the plant is harvested by means of scythes or sickles to ground level and is gathered into bundles and transported to the farm buildings for drying and subsequent preparation.

The stalks are now laid out side by side on specially made drying-grounds of hard clay, exposed to the sun and the dew and well protected from the wind. It is very important that no stalk should overlap another during this drying process, as this might produce mildew, which would spoil the product. After two or three days, the exposed surfaces of the plant begin to dry off. It is then turned over to the other side, and this process is repeated every twenty-four hours for the next ten or twelve days.

Thus completely dried by exposure to sun and dew, the plant begins to throw off a fine amber-coloured powder, which is especially abundant in the seed pods.

The plant is now carefully placed on large linen sheets, care being taken to lose none of the precious powder, and is thus carried to a special shed or room, which must fulfil the following conditions :

The interior must be clean and have smooth walls and be capable of being hermetically closed. The floor must be smooth and hard to avoid the introduction of any foreign matter during the beating process, which is now about to take place. It is in this room that the hashish will be extracted.

The plants are stacked in a heap in the middle of the room and the workmen (specially engaged experts in the operation) shut themselves in and proceed to give the first beating by means of sticks or flails. This beating is intended to separate the useless twigs, which are thrown aside, and to beat out from the plant the first and best qualities of hashish. Throughout this operation a cloud of fine powder rises from the heap and settles on the surrounding floor and walls. This powder constitutes the hashish and the beating results in a heap of leaves and broken stems, also the seed-pods containing the seeds. These débris are now submitted to further manipulation.

Three sieves of varying degrees of fineness are now used. They are of silk or wire, according to the fineness required.

Little by little the heap of beaten débris is passed through the three sieves. The finest mesh is used for the extra quality, the next finest for No. 1 quality and the largest mesh for



No. 2 quality. The results of this initial sieving constitute the three first and best qualities of hashish.

The débris is now beaten again six or seven times, the sieving operation being carried out between each beating. Naturally, the quality of the powder deteriorates with each successive sieving, and it is used for mixing with the finer qualities above enumerated in order to form other and lower qualities. The quality of these varying grades depends very much on the caprice of the manufacturer. The only real first-class grades come from the first beating.

When no further powder can be obtained by the beating method, the seeds are extracted from the débris to be used for the ensuing crop. The broken stems and fragments are ground down in a flour mill and used for further adulteration of the finer qualities. The varying qualities of powder are classified and placed in bags containing 5 to 10 okes each to await further preparation prior to being sent off to their destination.

The workmen employed in this operation are specialists accustomed to breathing the heavily laden air in the beating sheds, but, even so, they frequently have to stop work and go outside to get some fresh air into their lungs. Up to this point, the preparation is carried out by the cultivator.

The final operation, which is only undertaken by the exporters, consists of mixing the varying qualities of powder in order to attain the degree of excellence required and of again sieving this mixture, weighing it and inserting it into small bags made of strong linen, sometimes rectangular in shape, sometimes in the shape of a "pantoufle". These bags are then fastened up, flattened out and put in a special cooking apparatus.

This consists of a kind of cupboard about one metre high possessing two doors, which can be hermetically sealed. The interior of this cupboard has a horizontal shelf or grill at about two-thirds of its height. Below this shelf, reposing on the floor of the cupboard, two Primus lamps are placed, and on them two vessels containing boiling water. On the upper shelf or grill the requisite number of bags or pantouffles are placed, the stoves are lit and the cupboard is tightly closed. Rugs and blankets are thrown over the exterior of the cupboard to prevent the steam escaping.

After ten or fifteen minutes the powder in the bags begins to grow soft and develop into a paste. The bags are now withdrawn and, whilst still hot, placed in presses similar in form to, but more powerful than, ordinary letter-presses and capable of containing several bags at a time. After pressure, the bags harden and thereafter maintain the "turba" or "pantoufle" shape. After being exposed to the air for two or three hours, they are ready for despatch.

And in this form they reach Egypt.

The main sources from which hashish comes to Egypt have already been enumerated in past reports issued by the Central Narcotics Intelligence Bureau of the Government of Egypt and are again referred to in that most admirable and comprehensive document distributed by the League Secretariat under number O.C.1542.

The situation in Egypt has not undergone any considerable change since last May, except that the arrival of Syrian hashish on the Egyptian market has continued to give way to stuff bearing such marks as would seem to indicate Turkish provenance.<sup>1</sup> The report referred to above sets out the reasons for this diminution in Syrian arrivals, and I should like to take this opportunity of expressing to this Committee how truly appreciative Egypt is of the unmistakably vigorous methods which are now being applied in the French mandated territories of Syria and the Lebanon to the elimination of hashish cultivation and to the detection of illicit traffic therein. The formation of a Central Police Service for Narcotic Drugs at Beirut, together with the provisions of the Decree No. 193 L.R. of August 28th, 1934, have caused the keenest satisfaction in Egypt. In this connection it is interesting to note that the functions of this new Police Service have already begun to make themselves felt, for I see that two important cases of hashish cultivation and possession, involving the persons of a Syrian Cabinet Minister and a Syrian Nationalist Leader, have recently been reported in the Damascus and Beirut Press.

If similar methods could be adopted by other countries where *Cannabis indica* is definitely known to be illicitly cultivated in spite of laws forbidding it, it would be a great relief to Egypt, which still remains the great attraction for hashish smugglers.

I should like here, if I may, to refer members to page 20 of document O.C.1542, and to say that, for a long time now, we have had no Greek hashish in Egypt. Not only has cultivation ceased, but existing stocks held by peasants have now all been handed in to a central authority in Athens and are being held pending computation of compensations. As soon as this is completed, the stocks will be destroyed.

In respect of other aspects of the hashish situation in Egypt, such as prices obtained by smugglers, tricks employed by them, numbers arrested and convicted, etc., I need not here go over ground which is already fully covered in the Central Narcotics Intelligence Bureau's report for 1933 referred to.

I may, however, allude to the forms in which hashish is consumed in Egypt, as this is a subject which has not, so far, been discussed.

<sup>1</sup> Compare declaration made by Cemal İhsan Bey, the representative of Turkey, at the seventeenth meeting (page 73).

First and most popular is the "goza" or water-pipe, consisting in its cheapest form of a polished cocoanut-shell and a perpendicular tube with a clay receptacle at the top for the tobacc or hassan kef, a form of light tobacco leaf, on the top of which, when well alight, is placed a small portion of hashish. A bamboo stem at an angle of 45° protrudes from the cocoanut-shell and serves as a mouthpiece. When all is ready, the pipe is vigorously puffed and the smoke deeply inhaled by the smoker, who then passes the pipe to his neighbour, and so on until it has completed the round of the assembly. For hashish-smoking is mostly conducted in groups and is accompanied by a confused din of loud talk punctuated by peals of uncontrolled laughter as the fumes begin to take effect. Smoking continues until the senses become too numbed to permit of the pipe being held in the smoker's grasp. He then either tumbles off to sleep where he is or, if of stouter breed, manages to stagger home in time to drop off to the enjoyment or otherwise of the dreams of his disordered brain. This type of gathering is, however, becoming less and less common owing to the severity of the Egyptian law and the risks of detection. Hashish is also smoked in cigarettes.

Next in popularity comes *manzoul*, a form of sweetmeat composed as to 10 per cent of hashish melted in oil and as to 90 per cent of cheap chocolate powder mixed with the following spices: nutmeg, ginger, pepper, cloves and seeds of celery, onion, watercress and quince. This compound is kneaded by hand into a stiff paste, which is then flattened out and stamped into discs about 1 cm. thick and 3 cm. diameter. These discs are sold for 1 Turkish piastre each and are chewed slowly.

We also have *ma'agoun*, the same as the *madjoun* on page 2 of document O.C.1542(a). This is composed as to 10 per cent of hashish melted in oil and 90 per cent of spices mixed with honey. The compound is kneaded with dry powdered gum arabic and rolled into pills or boluses, which are sold at 1½ piasres per pill. These are swallowed whole and are mostly favoured by elderly people.

Both compounds, by reason of containing hashish, are, of course, prohibited by law in Egypt, and the sentences inflicted on persons caught in possession of them are no whit less severe than those inflicted on the possessor or smoker of the purer form of hashish.

Of the dangerous and undesirable attributes of the drug hashish there can be no question. Used as it is almost exclusively as an aphrodisiac, it produces all the symptoms commonly associated with the use of white drugs, except in the case of withdrawal, which is not generally accompanied by the lamentable mental distress that characterises the treatment of white drug addicts.

As stated in the report of the Central Narcotics Intelligence Bureau, the use of hashish in Egypt is very often the prologue to crime, and the bad characters of a village are generally found to be hashish smokers in the first place.

Although hashish has been known and used in Egypt for a long number of years, this fact ought not, I think, to be offered as any excuse for allowing it to continue to poison the youth of the country. In itself, hashish constitutes another grave menace other than the medical one. The immense profits obtainable from even a single successful smuggling coup are constantly occupying the attention of the contraband fraternity. The incentive offered to crews of vessels calling at Egyptian ports is not easily resisted when the profit on a single kilogramme of hashish may be as high as 50 or 60 Egyptian pounds. The Egyptian Government is obliged to maintain an expensive coastguard organisation, in addition to various other offices both in the Customs and the police, purely for the purpose of combating the hashish smuggler. The constitution of its frontier police is largely of an anti-contraband nature. Co-operation with the Egyptian Army Air Force, wireless communication, automobiles specially constructed for desert work, all these dispositions are directed against the smuggler, in addition to the normal routine of keeping order amongst a widely scattered Bedouin population.

In fact, Egypt is obliged to budget for a very considerable sum of money every year simply to keep out the smuggler of an article which is proscribed, not only within her own boundaries, but within those of the neighbouring countries from which it emanates.

At this point it may be permissible to consider for a moment the wider aspects of the hashish problem. I do not intend to, nor have I the authority to, discuss the question of a convention for the suppression of the cultivation of *Cannabis indica*. I may perhaps remark that the 1925 Convention appears to be curiously weak on the subject of internal control of both the plant and the hashish extracts, whether in the resinous or powder form. What does, however, seem to me to be a remarkable anomaly is that, whilst the 1925 Convention only deals with the question of the prepared forms of hashish, no fewer than five of the countries represented at the present meeting have laws prohibiting the cultivation of the plant—viz., Egypt since 1884, Greece since 1920, Bulgaria since 1925, Yugoslavia since 1929, Turkey since 1933, perhaps even earlier. *Cannabis indica* is not grown for any purpose in the following European countries (here I quote the friendly document O.C.1542 again): Austria, Belgium, Denmark, Danzig, Estonia, France, Hungary, Poland, Portugal, Spain, Sweden, Norway and Lithuania. The Netherlands have on one occasion grown 17 acres, and that was nine years ago and for

scientific purposes. Italy grows hemp which has no narcotic properties, and Switzerland is preparing legislation to deal with the question.

Palestine, the mandated Syrian territories and Iraq all prohibit cultivation.

Surely there is here at least a remarkable indication of the attitude of a large part of the world towards hashish. In any case, the existing Convention cannot be said, I think, to treat the hashish question satisfactorily, and, if it is agreed that some amendment is necessary, Chapter IV of that Convention might perhaps be taken as a departing-point of discussion of the whole question. The whole of Western Europe has no use for it and the Balkan States and Eastern Mediterranean countries, including Asia Minor, definitely prohibit it.

So may we not ask ourselves, What good is it to anyone, anyhow? On this simple basis, surely it should not be impossible to formulate some sort of convention, though it is admitted that the cases of India and perhaps Persia and Siam present certain difficulties, and form a matter for discussion by more experienced persons than myself.

What I can and do definitely say is that Egypt very vigorously recommends, and would most warmly welcome, any project tending towards a worldwide outlawing of the *Cannabis indica* plant. Meanwhile, she again begs those neighbouring countries which have already prohibited its cultivation to redouble their efforts in the direction of detection and destruction of illicit crops. Determination and energy are all that is required. No great detective feats would appear to be necessary. If the crops themselves are remote and difficult of access, the process of preparation which I have described elsewhere gives, I think I may say, the fullest opportunity to an alert local gendarmerie or police force to assert its powers.

In glancing back over these notes I have the suspicion that I may not have laid sufficient stress on the real moral and physical dangers of hashish. I am consoled, however, to see that the representative of the United States of America has more eloquently described to you this aspect of the menace in his country.

What I want most especially to impress on this meeting is the peculiar vulnerability of Egypt, with its vastly preponderating illiterate peasant class that offers such a remunerative market to the conscienceless smuggler and his countless agents. The normal Egyptian peasant is a simple, sober, hard-working, cheerful individual, who instinctively dislikes hashish and despises those who use it. He can easily and will willingly do without it. But if he finds it constantly peddled under his nose, who can blame him if he is tempted to try it? This is what the smuggler plays for and where, alas! he too often succeeds.

And why is it possible for the stuff to be obtained? Simply because of the propinquity of countries where illicit cultivation of the plant has not yet been successfully checked, despite existing legislation *ad hoc*.

Before sitting down, I should like to refer to document O.C.1542(c), wherein appears a letter on another subject concerning hashish which I hope this assembly may spare a moment to consider. The identification of hashish in the laboratory has, I believe, almost exclusively relied on the Beam test in the past. It is disconcerting to find that the efficacy of this test is no longer undisputed. The difficulties, from a purely police point of view, are not diminished by a recent admission which I received from our own Medico Legal Expert in Egypt that hashish once swallowed and subjected even in the mildest form to the process of digestion fails when submitted to the Beam test to give the characteristic violet colour.

I conclude with a final reference to the invaluable document O.C.1542, page 1, final paragraph:

"Too much stress cannot be laid on the fact that the raw resin of Indian hemp is, up to the present, of no medicinal or industrial value. It is collected and is the subject of considerable trade only on account of the fact that, when swallowed or smoked, it induces hashish intoxication."

Whilst assuming that the raw resin here mentioned may be taken to include prepared hashish as I have described it, I would add to that most incisive summary that it also encourages and promotes in a direct manner the existence of an ever-increasing band of international rascals who, as in the case of white drugs, are able by a process of mass victimisation to make fortunes which might cause even Croesus himself to rub his eyes in envious astonishment.

The CHAIRMAN thanked Baker Bey for the extremely valuable information contained in his statement and for the light thus thrown on the intricacies of the hashish problem.

M. CARNOY (Belgium) noted in the Egyptian representative's statement two points of capital importance: (1) the proved possibility of restricting, if not the cultivation of the raw hemp, at any rate the manufacture of the various hemp derivatives, and (2) the great difficulties with which Egypt had to contend in combating the illicit traffic in hashish from Eastern Europe. The conclusion seemed to be that further action was necessary to restrict

the production of hashish in the Balkans and Asia Minor. Allowance would also have to be made for the possibility of imports from the Sudan and Central Africa.

In this connection a request had been made at the last session, M. Carnoy added, for information on the position of the Belgian Congo in regard to narcotic drugs. He could now inform the Committee that, while manufactured drugs were not a serious menace owing to the strict enforcement of similar legislation to that applied in Belgium, a certain amount of hemp was grown illicitly and sporadically by natives. Due legislative provision had been made, however, to cope with this potential evil by the Decree of January 22nd, 1903, and a later Decree-Law of March 10th, 1917. The combined object of these two decrees was to prohibit the growth, sale, transport and possession of hemp for smoking and its use either for smoking or consumption under any other form. Breaches of these regulations were punished by a fine of from 100 to 1,000 francs, plus fifteen days' to one year's penal servitude. Crops could be ordered to be destroyed and the seized hemp confiscated. Village chiefs were jointly and severally responsible for the payment of the fines and costs. All hemp confiscated had to be destroyed.

M. Carnoy proposed to submit for the information of the Committee an interesting memorandum on hashish which had been drawn up by the Chemical Research Service of the Belgian Congo and transmitted through the Ministry of the Colonies, giving valuable information on the origin, varieties, use and chemical composition of hashish and other hemp products.

*The continuation of the discussion was adjourned to the next meeting.*

## SIXTH MEETING (PUBLIC).

*Held on Monday, November 19th, 1934, at 3.30 p.m.*

*Chairman : Dr. SCHULTZ (Austria).*

**Present :** All the members, except the representatives of Bolivia, Germany, Portugal, Siam, Sweden and Uruguay, and Mr. Lyall, Assessor.

### 986. Situation as regards the Control of Indian Hemp and Indian—Hemp Drugs (continuation) (documents O.C.1542 and Erratum, O.C.1542(a), (b), (c)).

Mr. HARDY (India) expressed his appreciation of the very useful résumé of the entire position contained in document O.C.1542, which he hoped would be printed. There were, however, one or two minor points which required correction. The account of the uses of Indian hemp drugs in India contained on page 41 of the English text was inconsistent with the summary given in document O.C.1542(a). The summary implied that *charas*, which was almost identical with hashish, was not only smoked, but also, to a large extent, eaten, when mixed with spices, whereas *ganja* was mostly smoked. If he were not mistaken, the reverse was the case, but the description in document O.C.1542, though substantially correct, was a little ambiguous.

It was also stated on page 1 of the same document that the maximum production of resin occurred in hemps on the lofty plateaux of Asia and India. There was only one lofty plateau of any importance in India, and this type of hemp did not occur there. The whole of the *charas* used in India was imported from Central Asia, and if any hemp with so high a resin content grew in India, it would have been used for making *charas*.

He would state the attitude of the Government of India to the question of hemp drugs from two aspects : (1) external and (2) internal.

The important part of the external aspect was the question of the export of hemp drugs from India. As the Committee was aware, India was a party to the 1925 Convention, and export was only permitted under the import-certificate system. The only exports consisted of small quantities of *ganja* sent to Trinidad, Demerara and Mauritius, etc., where there was an Indian population. There was virtually no export of *bharg* and the export of *charas* was now prohibited from Bombay, while even before 1925 no appreciable quantities were exported. All the *charas* coming into India passed under the control of the Punjab Government, and no other Indian province could obtain *charas* except through that Government. Even in the old days, anyone wishing to export *charas* via Karachi or Bombay would have to obtain a certificate from the Bombay Government before the Punjab Government would furnish supplies. He had never heard of any such certificate being granted. It could therefore be stated that India was not an appreciable source of export of any Indian hemp drugs to countries where these drugs were abused.

With regard to imports, large quantities of *charas* came from Central Asia. He was authorised to state that the Government of India, even if it agreed to drastic control, would

have great difficulty in applying such control, on account of the nature of the northern frontier. Effective control over production in Chinese Turkestan by the Chinese Government would be a *sine qua non*.

With regard to the internal problem, the Indian Government had always held that it was neither practicable nor desirable to change the existing policy, under which the use of *charas*, *ganja* and *bhang* were tolerated, while every possible measure was taken to prevent abuse.

One of the reasons for this attitude was that the use of *ganja* and *bhang* was connected with social and religious customs. In 1894, a commission appointed to enquire into the question of hemp drugs had found that any interference with the use of hemp drugs by the population would be regarded by consumers as interference with established usage and religious liberty.

On several occasions, the Government had experimented with total prohibition or with prohibitive duties. These experiments had invariably been unsuccessful and had not served to reduce addiction but had merely increased the activities of smugglers. The experiment of total prohibition had been tried in three big cities without success, and the Government had reached the conclusion that the population affected had been less liable to addiction under the former strict control.

A third reason was that India was divided into a large number of provinces and native States, and certain matters were within the competence of the provinces and States. In a day or two the report of the Joint Commission on India would be published, and the entire constitution of the country would be discussed. It was unlikely that any power would be taken away from the provincial Governments; the opposite was more likely to be the case. It would therefore be an inappropriate time to ask the Government of India to introduce a change of policy on a matter which was already within the competence of the provincial Governments.

M. BOURGOIS (France) said that he had communicated to the Secretariat the Decree of August 28th, 1934, relating to narcotic drugs, especially Indian hemp, in Syria and the Lebanon, and the Secretariat had prepared an excellent summary, which was contained in document O.C.1542(b). The decree came into force on the date of issue, August 28th.

Article 1 prohibited the cultivation of Indian hemp and of the opium poppy, and any plant from which narcotic drugs could be produced, while Article 2 prohibited the manufacture, conversion, possession, sale, importation, exportation, etc., of the various drugs. It was possible that secret supplies of hashish still existed, but in any case they could not be very large.

It was an important point in the decree that search warrants could be issued on mere suspicion. Searches had been carried out in a number of cases and had led to the destruction of the drugs seized.

The penalties under the decree were very severe, and amounted to imprisonment for a term of three months to two years, in addition to a fine. On a second offence, the penalties were doubled. The measures of suppression were very far-reaching and extended to persons manufacturing, selling, importing, exporting the drugs, etc., and even to persons who had facilitated the use of drugs, whether against payment or gratis—for instance, by providing premises for the use of drugs.

All the drugs seized were destroyed.

There was also a provision that the furniture and equipment of premises could be seized.

A central police service had been organised and was in close touch with the health service of the High Commissariat, the Customs, gendarmerie and police services, and similar authorities in other countries. Any agent of the Customs or of the public authorities to whom cases of illicit traffic or cultivation were reported must immediately notify the central police service and give detailed particulars of the case.

M. Bourgois had recently received some letters from the High Commissioner reporting seizures and the discovery of illicit plantations, which had been immediately destroyed.

The above remarks did not represent a complete account of the position, which had been explained to the Committee on several occasions; they merely supplemented the previous statements made.

He wished to thank the Egyptian representative for the passage in his report referring to his appreciation of the energetic measures taken in Syria and the Lebanon.

M. Bourgois would like to make a slight correction in the Secretariat's report regarding the French possessions in North Africa. Indian hemp resin or *chira* was prohibited, and only *takrouri* and *kif* were allowed. These substances, which were smoked mixed with tobacco, had less than one-eighth of the resin content of *chira*.

The CHAIRMAN expressed the satisfaction of the Advisory Committee at the energetic measures taken by the French Government in Syria and the Lebanon.

Mr. FULLER (United States of America) referred to a point which had been omitted from his report on Indian hemp (document O.C.1542(c) addendum)—namely, that the Philippines exported large quantities of hemp but that this was not the *Cannabis indica* but *abaca* or *Musa textilis*, a plant connected with the banana family.

With regard to the State of New York, he had been unable to include information regarding the increasing difficulty in combating the abuse of Indian hemp. He hoped he would be able to report on the conditions in that area before the next session. There was no Federal law penalising trade in hemp drugs, so that the information would have to be obtained from the New York State authorities.

If the United Kingdom representative had not already done so, Mr. Fuller would be glad if he could report to the Committee on the large seizure of charas or ganja in the Fiji Islands. According to the Press reports, the drugs had been shipped by parcels post from India. If the remarks reported by the Press as having been made by the judge were accurate, they were very much to the point and should be circulated.

He would also be glad if the representative of India could give information regarding the alleged establishment in Burma of a Government monopoly for the sale of ganja for the profit of the Government. According to Press reports, such a monopoly was to be put into effect during the summer of the present year.

M. TELLO (Mexico) said that marihuana smoking was not widespread in Mexico. The vice existed in the underworld but did not represent a very serious problem. According to the provisions of the health code, sales of Indian hemp and of Indian hemp and marihuana preparations were prohibited. The import, export, transit, cultivation, harvesting, preparation, possession and use of Indian hemp, were also prohibited. It was, nevertheless, difficult entirely to prevent the clandestine cultivation on a small scale of Indian hemp, though the crops were destroyed as soon as they were discovered.

Conflicting opinions had been expressed in the Committee as to the potency of the hemp drugs. One member had said that persons present in a room where Indian hemp was being burned were affected by the fumes. The Egyptian representatives had described how hashish smokers passed the pipe round to each member of the company in turn, so that absorption was slow. It had also been stated that marihuana cigarettes were passed round in a company in the same manner and that a few puffs were sufficient to affect the smokers, especially after consuming alcohol. This was in conflict with the statement on page 4 of the American representative's report, which mentioned a young man of 18 who had smoked four marihuana cigarettes before feeling the effects.

Mr. FULLER (United States of America) said this difference in opinion was explained by the fact that, in the United States, the marihuana cigarettes frequently contained a large percentage of tobacco. These would naturally be much less effective than cigarettes made of pure marihuana. Moreover, Indian hemp preparations rapidly lost their narcotic properties when kept in stock.

Mr. HARDY (India), in reply to Mr. Fuller's question, said he understood that a licensing system for *ganja* had been introduced in Burma to take the place of the complete prohibition which had formerly existed. He had no further information except that the new system did not apply to the Burmese population, but was restricted to the large floating Indian population, of whom about one million people arrived and departed each year in connection with the rice crop. These people were accustomed to consuming *ganja* in India and there had been much smuggling of this drug. The Government of Burma had therefore found it advisable to provide a legitimate controlled supply. This change did not contravene any undertaking which the Government of India had given. He would obtain any additional information which Mr. Fuller might require.

Mr. FULLER (United States of America) said that his idea in raising the question was that the Committee, when examining the question of Indian hemp, should know how the Government of India had decided to deal with this question in Burma.

Mr. HARDY (India) understood that the problem would be handled in the same way in Burma as in the other provinces of India. Use of the drug had formerly been completely prohibited but was now restricted and brought under control.

Major COLES (United Kingdom), referring to the Fiji case mentioned by Mr. Fuller, said no report on that case had reached England when he left. On his return, he would endeavour to procure a report, together with the remarks made by the judge, and would send them to the Secretariat.

Colonel SHARMAN (Canada) said that the marihuana problem was a very real one in Canada, affecting as it did young people not previously addicted to other drugs. The Canadian courts were creating a distinct deterrent to the smuggling of this drug by the imposition of severe sentences. Recently, there had been cases of marihuana illicitly imported from West Africa, from the West Indies and from the United States. A galenical preparation of Indian hemp had also been one of the ingredients mentioned in the prescriptions used for the doping of race-horses, although the extract was also quite legitimately prescribed by the Canadian medical profession. Owing to the vicinity of the United States and the frequent co-operation of the narcotic officers of both countries, he could confirm the remarks of the United States representative with regard to the seriousness of the marihuana situation in certain parts of that country.

Referring to Dr. Chodzko's remarks at the last session regarding the advertisement of cocaine by means of gramophone records, he mentioned an American film which he had recently seen in Canada, in which one of the principal songs bore the title "Sweet Marihuana, lull me to sleep".

Mr. FULLER (United States of America) thought that this was not a case of subtle propaganda, but of ignorance in the film industry. He would, however, take up the matter on returning to the United States.

M. PILOSSIAN (Persia) gathered that there was some uneasiness because there were no laws regulating the production of and trade in hashish in Persia. Hashish did not represent a serious problem in Persia and did not involve any danger to other countries. Indian hemp was cultivated for the sake of the fibre and the seeds were used as bird-seed. They were also in some cases roasted and eaten by the population. Hashish had formerly been smoked to a greater extent, but had now been replaced by opium-smoking. A few persons still consumed hashish, but cultivated it themselves in small quantities. If they were discovered, they were punished. Hashish prepared in this manner was, however, not fit for exportation.

The report stated that no regulations existed regarding the export of hashish and its derivatives. He pointed out that Indian hemp was classified as a dangerous drug and therefore came within the regulations. The possession of this drug was also prohibited. He observed that none of the hashish seized in other countries had come from Persia, and it could be assumed that there were no exports, since there had even been cases of clandestine imports from abroad.

M. KUSAMA (Japan) noted a statement on page 43 of document O.C.1542 to the effect that negotiations were proceeding for an agreement between the Japanese Government and the British Empire in the matter of the illicit traffic. This was a misleading statement, as no negotiations were proceeding regarding Indian hemp. It was possible that such negotiations were taking place with regard to cocaine. He asked the Secretariat to delete this passage.

Dr. CHODZKO (Poland) paid a tribute to the documentary material supplied by the Secretariat and the valuable contributions received from members. It would be regrettable if no practical conclusion were reached as a result of the work done. He observed that the material provided very little information on morbid symptoms due to hashish addiction. The question of symptoms was mentioned only in the United States report. He thought that this question should be studied. Perhaps the Egyptian Government could give information on the symptoms of hashish addiction. He proposed that the matter be referred to a Sub-Committee consisting of representatives of Canada, France, United Kingdom, Egypt, Spain, India, United States and Mexico.

M. BOURGOIS (France) referred to an article on the subject by Dr. Gobert in the archives of the Tunis Pasteur Institute and an article by Dr. Perusel on the psychopathology of hemp-smoking.

Dr. CARRIÈRE (Switzerland) agreed with Dr. Chodzko's remarks as to the lack of information on hashish addiction. He had therefore no objection to the appointment of a Sub-Committee on the subject. He would, however, make a further proposal. Much information was already available regarding Indian hemp—the method of cultivation, history, harmfulness of the drug, etc.—but it was scattered over a number of publications and should, in his opinion, be collected into one report. He therefore asked the Secretariat to examine the possibility of entrusting a person who was competent in this matter to write an historical and descriptive account of the subject. The documents submitted to the Committee were of an administrative character, but what he had in view was a document dealing with the scientific side of the subject.

M. BOURGOIS (France) said the League Library was working on a very complete scientific bibliography of narcotics and had applied for information to the principal libraries of the world. This bibliography would no doubt contain information of the kind desired by Dr. Carrière.

Dr. CARRIÈRE (Switzerland) said that what he wanted was not a bibliography but a digest of a bibliography.

Dr. CHODZKO (Poland) supported Dr. Carrière's proposal.

The CHAIRMAN thought the information received showed the difficulties of the problem of Indian hemp, and it was evident that the Committee could not reach a definite result immediately. Dr. Chodzko's proposal to appoint a Sub-Committee was therefore a good one and Dr. Carrière's proposal formed a useful addition to it. He would merely suggest that Dr. Chodzko, as a medical man and expert, should be a member of the Sub-Committee.

Dr. CHODZKO (Poland), after some discussion, agreed.

M. VAN WETTUM (Netherlands) asked what would be the terms of reference of the Sub-Committee.

Dr. CARRIÈRE (Switzerland) thought the Sub-Committee should be empowered to call in an expert competent to deal with Indian hemp questions.

Dr. CHODZKO (Poland) agreed, and said that some highly qualified person could probably be found among the French colonial doctors or among the Egyptian or American doctors.

The CHAIRMAN said that the Sub-Committee's terms of reference were evident from the discussion which had taken place. The present position was admittedly unsatisfactory and it was desirable to improve it. M. van Wettum had himself asked whether the remedy



should be sought in the international field or whether the efforts of the individual States should be continued. That issue could only be decided after further study, and such study could be conducted by the Sub-Committee.

The Chairman further proposed that, in view of his special competence in the matter, M. van Wettum should be appointed a member of this Sub-Committee.

*This proposal was approved by the Committee* and M. van Wettum accepted.

M. VAN WETTUM (Netherlands) observed that the work of the Sub-Committee would aim rather at a future settlement than at an immediate decision.

M. BOURGOIS (France) proposed that Dr. de Myttenaere should also be a member of the Sub-Committee.

Dr. DE MYTTENAERE (Assessor) accepted.

The proposal to appoint a Sub-Committee consisting of the representatives of Canada, France, United Kingdom, Netherlands, Egypt, Spain, India, United States of America, Mexico, Poland and Dr. de Myttenaere, Assessor, *was adopted*.

The CHAIRMAN remarked, with regard to Dr. Carrière's proposal, that the work would no doubt be done by the Secretariat. The latter could not, however, complete this task without assistance.

Dr. CARRIÈRE (Switzerland) said his idea was that the Secretariat should consider the possibility of having such a report prepared. The Secretariat could begin by preparing a bibliography and it would then be seen whether a report was necessary.

M. FERRI (Italy) agreed that a bibliography should be prepared, but he thought a real report as proposed by Dr. Carrière was more useful than the bibliography.

Dr. CARRIÈRE (Switzerland) said that the person requested to write the report would, of course, in the first place, consult the bibliography. If it were found that the bibliography contained the necessary information, naturally, no report would require to be written.

M. CASARES (Spain) agreed with this view.

M. FERRI (Italy) also agreed, provided it were ascertained within a short time whether such a report existed and if not that it should be prepared without delay.

*Dr. Carrière's proposal was adopted.*

#### 987. Disposal of Seized Drugs : Article 18 of the Limitation Convention.

Dr. CHODZKO (Poland) referred to a discussion during the last session of the Permanent Central Opium Board as to whether seized drugs could be re-exported under the terms of Article 18 of the Limitation Convention. That article was not very categorical, except in respect of diacetylmorphine, which must either be destroyed or converted. Other drugs could be destroyed or converted into non-narcotic substances or appropriated for medical or scientific use either by the Government or under its control. This provision offered the possibility of different treatment in different countries. In Poland, the quantities seized, which were usually very small, were sent to hospitals, a procedure which was admitted by the Convention. If drugs were seized in large quantities and put into circulation, they increased the quantities on the market at a time when over-production was taking place. It was unfair to the licit manufacturer to place such seized drugs on the market. He thought the Sub-Committee should make a proposal to the Governments as to the interpretation of this article.

M. TELLO (Mexico) said that, if drugs were put back into circulation, they might increase the evil which the Committee was trying to abolish. If they were destroyed, this would be to the advantage of the manufacturers, and if they were handed to hospitals they could be put to good use. In Mexico, seized drugs had formerly been destroyed and were now handed to hospitals.

Dr. CHODZKO (Poland) said it was not an entirely simple solution to hand the drugs to the hospitals. Some hospitals received such drugs in excessive quantities, and, as the control could not always be very strict, there was a danger that the nurses might give excessive quantities to the patients. In Poland, the hospitals complained that they were flooded with seized drugs.

M. FERRI (Italy) thought Article 18 was very clear. The Committee could not amend it, but must accept it as it stood. It would be desirable to ascertain (1) what countries destroyed seized goods, (2) what countries handed them to hospitals and charitable institutions, (3) what countries converted the drugs into cocaine for legitimate purposes, and (4) in what countries, if any, the Convention was violated and the drugs returned into the trade. He therefore suggested that the Secretariat should draft a memorandum on the application of this article from the information at its disposal.

Mr. FULLER (United States of America) said that, without wishing to go into the technical legal question, he agreed with Dr. Chodzko that seized drugs should not be sold. When the question of the disposal of seized drugs had been discussed at the Limitation Conference, the United States delegation had been prepared to agree to the proposal that all seized drugs should



be destroyed. This proposal had, however, not been accepted, and Article 18 was an expression of a compromise arrived at. In the United States, all seized drugs were destroyed, except those good enough for use in Government establishments. If the goods seized were in excess of the requirements of such establishments, the surplus was destroyed.

The CHAIRMAN said that, if he remembered rightly, the intention when drafting this article was that drugs should be destroyed or used for internal consumption. This view was supported by the text of Article 7, which stated that the total quantity of each drug permitted to be manufactured in any country should be decreased by the amounts imported and by "any amounts of the drug seized and utilised as such for domestic consumption or for conversion". This article made no mention of re-exports, and he thought that, when the text of Article 18 was drafted, there was no idea of providing for the export of seized drugs.

Mr. HARDY (India) said the position in India was similar to that in America. The only imported drug of any importance which was seized was cocaine, and it had for many years been supplied to Government hospitals at their request. Any quantity which they did not require was destroyed. The quantities seized were, as a rule, not only in excess of the requirements of the hospitals, but of the total requirements of the country. Recently, the cocaine seized had been of very poor quality, and was even considered dangerous for use in ophthalmic work, so that the Government had been considering the question of purification.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections), in reply to M. Ferri, said the Convention had only come into force on January 1st, 1934. The Secretariat would not have any knowledge of the practice in various countries until the annual reports for 1934 were received. He could possibly, therefore, give further information in the autumn session of 1935.

Dr. CARRIERE (Switzerland) said that the words "appropriated for medical or scientific use either by the Government or under its control" might have been taken to include export; but, as the Chairman had shown, Article 7 proved that this was not the intention in drafting the Convention. In Switzerland, the question was of no great importance, as only small quantities were seized. The question of conversion applied only to heroin and to morphine which could be converted into codeine. As far as he was aware, cocaine could not be converted into a harmless drug.

Mr. Duncan HALL (Secretariat) said that the Opium Section, after consulting the records of the Conference, had reached the following view as to the interpretation of Article 18:

The export or re-export of seized drugs was not possible under the wording of the article and in the light of the records of the Conference. The article laid down certain methods of disposal, but did not mention export. Moreover, the drugs must remain under the control of the Government. Exports would pass out of the control of the Government and were, therefore, not contemplated by the Convention. In the discussions at the Conference, one delegate had stated that, if any drugs were seized in a non-manufacturing country, they could only be consumed or converted in that country or destroyed.

The phrase "under the control of the Government" should, according to the records of the Conference, not have too restricted a meaning. It was not contemplated that the seized drugs should be precluded from use in the country. Article 7 was significant in this connection.

With regard to the conversion into non-narcotic substances, some speakers had said that this referred primarily to conversion into codeine. This was borne out by the records. It had been decided by the Conference to use the word "drugs" throughout the Convention rather than the expression "narcotic drugs", but in this case the word "narcotics" had slipped in. It seemed clear from the references to codeine in the records that the expression "conversion into non-narcotic substances" meant conversion into the drugs referred to in group II of Article 1.

Dr. CHODZKO (Poland) thought that Articles 7 and 18 were not entirely compatible with each other. If a country were importing for re-export and seized a quantity of cocaine, that quantity would have to be used in the country, but it would release a similar quantity for re-export. It was of no consequence whether the drugs exported were really those seized or corresponding drugs which they released.

He would be glad if the Committee could adopt a definite opinion in favour of the procedure in use in the United States and India, under which seized drugs in excess of hospital requirements were destroyed. He was in favour of the Indian practice, under which drugs were not thrust upon the hospitals but only supplied to them at their request. This interpretation was at any rate not contrary to the sense of Article 18. He thought the Minutes of the present discussion might be transmitted to the Governments and that the Committee could at any rate make a recommendation in this sense.

M. CARNOY (Belgium) thought the wording of Article 18 permitted of a wide interpretation and that the intention could only be ascertained by a reference to the records of the Conference. It seemed clear that seized goods could not be allowed to enter the trade, for, as Dr. Chodzko

pointed out, this would indirectly help to release other drugs for export. He thought the Committee should recommend the Governments to prevent goods going into circulation, as this could not but adversely affect legitimate trade in the products in question.

M. DJORDJEVITCH (Yugoslavia) said his Government adhered to the view which it had expressed in 1931, that seized drugs should be destroyed. He agreed with Dr. Chodzko that the Committee should make a recommendation to Governments that drugs not sent to hospitals should be destroyed.

M. CASARES (Spain) pointed out that, at one stage of the Conference in 1931, there was a majority in favour of the destruction of seized goods, but one important country had declared that it could not sign a Convention containing this provision. Destruction would, in his opinion, have been the most radical and simple procedure, but it was obvious that the Committee could not make such a recommendation at the present time. He thought the Committee had lost sight of the fact that Government stocks existed, and he suggested that the quantities seized could be put into such Government stocks. This would not release any corresponding quantity for export and would facilitate control. The hospitals could be supplied with any quantities they required out of these Government stocks.

Dr. CHODZKO (Poland) pointed out that Article 18 did not impose any one method on the Government, but authorised three methods of procedure. He appreciated M. Casares' proposal regarding Government stocks, but such stocks were not mentioned in Article 18. He suggested that seized drugs should be included in reserve stocks and he proposed an amendment to M. Casares' proposal to this effect.

Mr. Duncan HALL (Secretariat) pointed out that the reserve stocks were in the hands of wholesalers, who would find it difficult to distinguish between seized and normal stocks. This involved the question of Government control, referred to in Article 18.

In view of the difficulties of the position, he suggested that, in practice, the Governments might be recommended to follow the procedure used in India, by which seized goods were used by the Governments or in hospitals.

Dr. CARRIÈRE (Switzerland) did not see any objection to placing the seized drugs in Government stocks, as this was not contrary to the spirit of Article 18, which spoke of use by the Government or under its control. On the other hand, if seized drugs were included in reserve stocks, this implied selling them to manufacturers, in which case it would be more difficult to control them.

Mr. FULLER (United States of America) agreed that there was nothing to prevent seized goods being placed in Government stocks, and this course was most advisable. It was not desirable to sell seized drugs to dealers.

M. VAN WETTUM (Netherlands) did not see why the recommendation should be sent to the Governments at all. They should be left free to adopt any of the three alternatives mentioned in Article 18—*i.e.*, destruction, conversion, or appropriation for medical or scientific use by the Government or under its control. The text left it to the Governments to sell to manufacturers under their control. It was true that no distinction would then be possible between drugs of different sources, but at the end of the year the manufacturers' right to manufacture drugs would be reduced by the amount seized. He did not see any provision in the Convention which prevented export.

M. CASARES (Spain) said it was apparent that Article 18 was not quite clear to most of the members. At the same time, it was evident that the Committee desired to restrict the possibilities of abuse.

M. BOURGOIS (France) said the Committee was entitled to make such a recommendation as that proposed, but it could not be considered as an interpretation of the Convention.

M. VAN WETTUM (Netherlands) said the Committee was not entitled to interpret the Convention. He asked what would happen if the quantities transferred to Government stocks became excessive.

Mr. FULLER (United States of America) said that last year's record showed that the American Government had seized more drugs than any other country. His Government therefore had a large financial stake in the sale of these goods; but, in spite of that, when the stocks became too large the surplus was destroyed. No procedure could be more simple.

M. VAN WETTUM (Netherlands) pointed out that, as the proposal to destroy the seized drugs had been defeated in the Conference, it was impossible for the Committee now to recommend destruction to the Governments.

*It was decided* to appoint a Sub-Committee to consider the question of the disposal of seized drugs, the Sub-Committee to consist of M. CASARES (Spain), Dr. CHODZKO (Poland), M. CARNOY (Belgium), M. DJORDJEVITCH (Yugoslavia) and Dr. CARRIÈRE (Switzerland).

988. Ratification of the Bangkok Agreement by Siam.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) informed the Committee that Siam had now deposited its ratification of the Bangkok Agreement.

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SEVENTH MEETING (PUBLIC).

*Held on Tuesday, November 20th, 1934, at 10.30 a.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Bolivia, Germany, Mexico, Portugal, Sweden, Uruguay, and Mr. Lyall, Assessor.

989. Preparatory Work for a Conference to consider the Possibility of limiting and controlling the Cultivation of the Opium Poppy and the Cultivation and Harvesting of the Coca Leaf.

RAW OPIUM : SITUATION IN PRODUCING, MANUFACTURING AND OPIUM-SMOKING COUNTRIES (document O.C.1554 ; see also Progress Report, document O.C.1574).

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) recalled that this question had been put on the agenda of the eighteenth session at the request of the United Kingdom representative, and the Secretariat had accordingly prepared document O.C.1554, giving a review of the question and statistical tables to illustrate the situation up to the end of 1932 of the legitimate trade in raw opium. The Committee would note that the information thus supplied required to be completed by the replies still outstanding to the questionnaire on raw opium. Since the document was compiled, the 1933 statistics of the Permanent Central Opium Board had become available. As, however, several Governments still had to reply to the questionnaire, he would suggest adjourning the discussion of the raw opium question until the Secretariat was in possession of more complete data.

Major COLES (United Kingdom) said that, in view of the Director's statement, the United Kingdom representative would have no objection to the postponement suggested. The question had been put on the agenda in order to ascertain the present position of the matter.

Mr. FULLER (United States of America) asked if the Secretariat had any information on the raw opium situation subsequent to that made available at the August session of the Permanent Central Opium Board, where it was stated that Turkey had exported 1½ tons of raw opium to Panama, 1 ton to the Argentine Republic and 2 tons, in the first half of 1934, to Abyssinia. He would also draw the Committee's attention to the fact that there were at present large stocks of opium in Europe, more particularly in Belgium, France, Germany, the Netherlands and the United Kingdom. According to a market report from Hamburg, 2½ tons of raw opium had been bought in July and August for Belgium, and a similar report from Belgrade indicated that 8 tons had been sold for delivery to Belgium. His Government had also heard that United States importers were buying raw opium from stocks held in Marseilles.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) regretted that the Secretariat had no further information ; perhaps the Secretary of the Central Board could answer Mr. Fuller's queries.

M. BOURGOIS (France) pointed out that all stocks of raw opium in France were held in Government bonded warehouses. Of the existing stock of 65 tons, 15 tons had been issued to factories which were also under strict Government supervision.

Mr. FULLER (United States of America) assured the French representative that he merely wished to verify the location of raw opium stocks. He did not question the efficacy of the French Government's control over raw opium.

M. THEODOLI (Secretary of the Permanent Central Opium Board) said that, as a result of enquiries, the Central Board had received from the Turkish authorities the names of the importing firms in the case of Panama and the Argentine Republic, but had no reply regarding Abyssinia.

M. CARNOY (Belgium) explained that any raw opium imported into Belgium would be for the use of the new factory and would therefore be under Government supervision, both while in stock and after conversion.

Mr. FULLER (United States of America) asked whether the 8 to 10 tons reported by Hamburg and Belgrade as delivered to Belgium would be sold as raw opium, or used for manufacturing purposes.

M. CARNOY (Belgium) believed that the quantity in question was required as raw material for manufacturing purposes and referred the United States representative to the section of the Belgian annual report for 1933 dealing with developments in drug manufacture (document O.C./A.R. 41, page 3).

Mr. FULLER (United States of America) did not question the effectiveness of the control exercised over manufacture. He was anxious to ascertain the position as regards raw opium stocks—in this case whether the 8 to 10 tons already referred to were available for sale as opium.

M. CARNOY (Belgium) could not state the specific amount of stocks held by Belgian factories, as the position was constantly changing.

M. VAN WETTUM (Netherlands) asked whether the United States representative could specify the amount of raw opium stocked in the Netherlands.

Mr. FULLER (United States of America) pointed out that his original statement referred to stocks of raw opium "in Europe"; he had no idea of the actual amount stocked in the Netherlands.

The CHAIRMAN assumed that the proposal of the Director to adjourn to the next session further discussion of this item on the agenda was accepted.

*Agreed.*

#### 990. Manufacture and Export of Drugs : Present Position in the Manufacturing Countries (document O.C.1550).

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) referred the Committee in this connection to the passage at the foot of page 4 of the Committee's report to the Council on the work of the eighteenth session (document C.256.M.105.1934.XI), from which it would be seen that, at the last session, the question had been discussed on the basis of document O.C.1550. As statistics of manufacture would, in the ordinary way, be considered at the spring session in 1935, it would only be necessary now to hear any further statements on the subject which members wished to make, after which the matter could be adjourned until the Committee's next session.

M. CASARES (Spain) noted from the report submitted that there was still a tendency to increase the number of factories. In such circumstances, would it not be advisable to recommend the countries which produced sufficient drugs for home and export requirements to restrict the issue of new manufacturing licences? He submitted a draft recommendation reading as follows:

"The Advisory Committee requests the Council to urge the manufacturing countries not to issue new licences to manufacture drugs if the factories at present existing in their respective countries have a manufacturing capacity sufficient for the needs of their domestic and export markets."

M. FERRI (Italy) agreed with M. Casares' remarks and thought that the Committee should also draw the Council's attention to the importance of closely observing the increasing tendency to set up national drug factories. It would be unfair to hold the 1931 Convention responsible for the increase, which was due rather to the general trend in all countries towards economic self-sufficiency. The position which had obtained at the time of the 1931 Conference, when there were only a few manufacturing and numerous consuming countries, had now been reversed. If this tendency continued to develop, the point might eventually be reached when all countries would be producing their own requirements in drugs, and this might even have the advantage of considerably simplifying international control.

Mr. Dunean HALL (Secretariat) said that the Secretariat would like the Committee to consider the question in relation to the factory list containing the names of factories authorised to manufacture drugs. There were a large number of firms licensed to manufacture drugs which did not manufacture. Only about sixty firms were actually manufacturing as compared with forty some years previously. The difference of twenty gave a rough idea of the number of new factories set up in new manufacturing countries. The question of the factory list called for serious attention. The present situation was unsatisfactory, as it did not correspond with the provisions of Article 20 of the 1931 Convention; it included, for example, firms licensed to manufacture medicinal opium preparations.

Mr. FULLER (United States of America) would welcome the adoption of some such recommendation as M. Casares had proposed. The policy of his Government was to refuse all facilities for increasing the output of opium or coca-leaf alkaloids, as the existing factories were thought to be amply sufficient for the medical and scientific needs of the American population.

Dr. CARRIÈRE (Switzerland), without wishing to reopen the vexed question of free and restricted manufacture, thought that the present problem would hardly have arisen had the policy of restriction been adopted at the 1931 Conference. In the circumstances, he felt he

could support the recommendation proposed by the Spanish representative. If adopted, it would undoubtedly enable Governments to refuse applications for licences for new drug factories which would otherwise be granted in view of the absence of any real legal objections and the impeccability of the commercial guarantees usually furnished.

Dr. CHODZKO (Poland) said his only objection to M. Casares' proposal was that it seemed to be based more on the number of factories in a country than on the actual amount of drugs manufactured. He was not clear as to the legal basis on which it was proposed to refuse a manufacturing permit. A further complication arose from the fact that the new Hungarian method of manufacturing morphine would encourage agriculturists generally, and was encouraging Polish agriculturists in particular, to press for Government permission to grow poppies.

It was true that the attraction of financial profits and the desire for economic self-sufficiency accounted partly for the larger number of drug factories, but a still more potent factor in the case of certain countries was political insecurity. Countries must have sources of supply which were absolutely dependable. Poland was prepared to follow the United States example and not export manufactured drugs, but this, unfortunately, did not seem to be the policy of other new manufacturing countries, as Tables II and III in document O.C.1550 showed.

M. CARNOY (Belgium) thought the Polish representative had unnecessarily complicated the original proposal made by M. Casares, which recommended that the capacity of a country's factories should not exceed its needs for the home and export markets. It should be realised, he added, that, as the tendency towards national self-sufficiency became more general, possibilities of exports would also decrease. The value of the recommendation proposed lay mainly in the fact that it strengthened the position of Governments as regards the issue of fresh manufacturing licences.

M. VAN WETTUM (Netherlands) emphasised that it had been foreseen from the beginning that, once the principle of limitation were introduced, a stimulus would be given to the creation of drug factories in new countries. It followed also that export potentialities would be similarly increased. He could see no point in a recommendation to States not to increase the number of new factories. Each country must be allowed to decide such questions for itself. He would like to put the question whether any new factories had been set up in the older manufacturing countries since the principle of limitation had been adopted.

Colonel SHARMAN (Canada) strongly supported the Spanish representative's proposal. Reference to the records of the 1931 Limitation Conference would show that, even before the principles of the Convention had been decided, several delegates had, in their opening speeches, announced their country's intention to start drug manufacture.

Dr. CARRIÈRE (Switzerland) thought that, in view of the complicated issues which had been raised, particularly by the speech of the Polish representative, it would perhaps be preferable to adjourn a decision on the Spanish proposal to the next session so as to give members time to consult their Governments.

M. BOURGOIS (France) asked for a vote to be taken on the proposal made by M. Casares.

Major COLES (United Kingdom) agreed with the Vice-Chairman that it would be premature to take any action until the results of a whole year's working of the Limitation Convention were available to the Committee.

Dr. CHODZKO (Poland) repeated that he had no objection in principle to M. Casares' proposal. He only wished to emphasise that the motive actuating new drug-manufacturing countries was not so much that of commercial profit as of national security. Poland had, in 1920, experienced what it meant to be entirely deprived of supplies even from neighbouring countries. He thought the suggestion of the Vice-Chairman and the United Kingdom representative to await fuller details was entirely reasonable and that discussion of the next item on the agenda (Hungarian method for extraction of morphine from the dried poppy plant) might also change the Committee's views on this question.

Phya Subarn SOMPATI (Siam) pointed out the close connection existing between the question of new factories in the new manufacturing countries and the question of the export and import of dross for the manufacture of narcotic drugs which had been put on the agenda at his request. If the Committee decided that dross could be legitimately imported and exported, Siam would not establish a drug factory, but if the decision were in the negative, she would probably be forced to do so.

M. KUSAMA (Japan) said the present tendency in Japan was to unify and centralise the manufacture of drugs, though the exact form of such centralisation had not yet been decided. The proposal before the Committee had, therefore, no special significance for Japan. In his

opinion, the principle underlying the Spanish proposal had been definitely settled by the 1931 Convention, which placed manufacture under Government control and left each country free to manufacture drugs subject to compliance with the provisions of that Convention. It would be premature, he thought, to introduce fresh restrictions on a principle so recently adopted. If it were felt that the recommendation was needed in order to strengthen control of drug manufacture, no objection, of course, could be made; but, while not categorically opposed to the recommendation, he would prefer, with the Vice-Chairman and the United Kingdom representative, to adjourn consideration of the matter to the next session.

M. BOURGOIS (France) did not see the connection between the argument regarding lack of information on the working of the 1931 Convention and the wording of M. Casares' proposal. If a country's needs were not met by the factories at present existing, the recommendation did not bind the country to refrain from increasing the number of factories.

M. CASARES (Spain) regretted that the introduction of entirely extraneous considerations had confused the views of the members on his original proposal, which was designed merely to give Governments a badly needed weapon to enable them to resist demands for new manufacturing licences.

Dr. CARRIÈRE (Switzerland) intimated that, on reconsidering the text of the original proposal made by M. Casares, he was prepared to give it his support, though he still believed that the matter was not urgent and that information on the subject was still incomplete.

Dr. CHODZKO (Poland) did not think his remarks had confused the issue, particularly as no text of the proposal had been distributed to the Committee. He would ask M. Casares how he proposed to define a country's needs for export.

M. CASARES (Spain) explained that, if Poland adopted the recommendation proposed and, while producing sufficient drugs for her domestic consumption, wished, for any particular reason, to have a large export trade, she would be free to issue as many licences as she liked. On the other hand, if Poland wanted to limit the issue of new licences she could base her refusal on the recommendation he was now submitting.

After the French and English texts of the recommendation had again been read, a vote was taken by roll-call with the following results :

*For the recommendation :* Austria, Belgium, Canada, China, Egypt, France, India, Italy, Persia, Spain and Switzerland ;

*Abstained from voting :* Japan, Poland, Turkey, Yugoslavia ;

*Against the recommendation :* The United Kingdom, the Netherlands and Siam.

The CHAIRMAN declared the recommendation adopted by eleven votes to three with four abstentions.

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## EIGHTH MEETING (PUBLIC).

*Held on Wednesday, November 21st, 1934, at 10 a.m.*

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*Chairman :* Dr. SCHULTZ (Austria).

**Present :** All the members, except the representatives of Germany, Bolivia, Sweden, Uruguay, and Mr. Lyall, Assessor.

991. **Export and Import of Dross for the Manufacture of Narcotic Drugs : Question raised by the Representative of Siam (Document O.C.1568 and Erratum).**

Phya Subarn SOMPATI (Siam) made the following statement :

The memorandum on the export and import of opium dross has been in your hands for some time. It is not necessary for me to go over it at length with you to-day. Perhaps just a short summary will suffice.

The Siamese Government has in storage a considerable quantity of dross. How this material came to be in the Government's possession, I will tell you later. Suffice it to say just here that we have the dross and that we desire to put it to an economical and useful purpose. Unfortunately, there is a problem involved—a problem I believe to be more academic than real.

Article 7 of the Hague Convention lays down that : "The Contracting Powers shall prohibit the import and export of prepared opium, etc.". The same Convention would appear, by implication, also to prohibit the import and export of dross, when it further lays down in Article 5 that "prepared opium includes dross and all other residues remaining when opium has been smoked".

That "prepared opium" includes "dross", then, admits of no ambiguity. Therefore, inasmuch as the import and export of prepared opium is prohibited, so also is that of dross.

But what was the intent of the Convention's prohibiting prepared opium? I submit that the intent was to prevent its being smoked. One cannot get away from that inference when Article 5 reads: "Prepared opium includes dross and all other residues remaining *when opium has been smoked*". And again in Article VI of the Geneva Agreement: "The export of opium, whether raw or prepared, from any possession or territory into which opium is imported for the purpose of smoking shall be prohibited". The purpose of prohibition, then, is to prevent the smoking of dross. Siam does not propose to frustrate that purpose. The market we seek for our dross is for manufacturing narcotic drugs—a very different thing from smoking. I suggest that the signatories of the 1912 Hague Convention neither contemplated nor intended the prohibition of dross for manufacturing purposes. To stretch an analogy, if dross were a cure for cancer, would the comity of nations quibble over any Convention at all? That they would have refused to penalise the legitimate use of any drug is plainly evidenced by their conclusion of the Geneva Agreement, supplementary to that of The Hague. Article XI of the Geneva Agreement expressly states: "The provisions of this Agreement do not apply to opium destined solely for medical and scientific purposes". Therefore, inasmuch as opium may be importable and exportable for medical and scientific purposes under the Geneva Agreement, so also must dross enjoy the same privileges, as dross is included with, and definitely defined as a residue of, prepared opium.

My Government put this interpretation to the test at the Bangkok Conference in 1931. It was definitely agreed by the Conference then, though not expressed in an actual resolution, that the import and export of dross were legitimate—*i.e.*, for medical and scientific purposes and under such other conditions as are laid down in International Conventions.

Such is the substance of my memorandum. Now for a few plain facts. What is dross, after all, but a raw material for the manufacture of morphine? It is no discovery of the Siamese scientists. Nations had all known it. I submit to you that nations do not sign Conventions at The Hague, Geneva or anywhere to tell manufacturers their business. They, the manufacturers, must know best what raw material they want to use for a certain substance they want to produce. Suppose some celebrated scientist were to discover to-morrow that they could use tobacco ash, would we stop them? Why then put any obstruction in the way of dross?

You will remember reading some time ago that the Disarmament Conference suggested the establishment of a Supervisory Body for Armaments. I am not sure that I am quoting the name correctly. Anyhow, the function of the Supervisory Body was to supervise the armaments of nations. Such supervision, in so far as it related to factories, is surely supervision of the finished product—of cannons, of guns, of munitions, etc.—of the eventual deliveries and destination of those products. If a machine-gun manufacturer requires a particular raw material for its product, it is obviously no business of the Supervisory Body to put any obstacle in the way of his getting the raw material or to advise the use of another raw material. It is exactly the same in the case of morphine; it is not the purpose of Conventions to interfere with methods of manufacture. It was not, therefore, the intention of signatories at The Hague in 1912 or at Geneva in 1925 to penalise the legitimate use of dross for manufacture.

The accumulation of dross with the Siamese Government arises from a peculiar feature of our monopoly system. Some of you here have seen the working of that system on the spot and have paid us the compliment of commending it. I will not trouble you with the intricacies of the system except to mention that, up to the present, Siam is the only country which has dealt satisfactorily with the problem of the return of dross from the opium-smoker. Naturally, it costs us a few millions annually to work the system and, so far, we have shouldered the expense without any compensating return. We have even thrown some tons of the dross into the sea; but that was in the days of plenty. Those days of plenty are gone. To do it again now would be a wicked waste.

A factor that influenced us in devising the system of dross-collection was Article V of the Geneva Agreement. That article prescribes that "the purchase and sale of 'dross', except when the 'dross' is sold to the Monopoly, is prohibited". Rightly or wrongly, my Government has sought to give a practical and effective interpretation to Article V. It refuses to allow dross to fall into anybody's keeping except the monopolist's, which in our case means the Government. Indiscriminate dissemination of dross, we think, will result in (1) more dross addicts or (2) more opium addicts or (3) more of both dross and opium addicts. Hence our precautions against leaving the dross scattered in private hands.

To sum up: All I ask of the Advisory Committee is an expression of its opinion that there is no objection in principle to the export and import of dross for the manufacture of morphine for medical and scientific use, under the conditions laid down in the International Conventions. I do not ask for a ruling such as may bind the action of any Government upon this matter.

Mr. FULLER (United States of America) made the following statement:

In document O.C.1568, our colleague, the representative of Siam, states that his Government desires to obtain the views of other Governments parties to the Hague Opium Convention of 1912 on a question in regard to the disposal of dross remaining after opium has been smoked.



He adds that, before undertaking to obtain those views, his Government requests this Committee to examine the matter in its technical aspects and to express an opinion on the question whether or not any objection in principle is seen to the export and import of dross for the manufacture of morphine (and presumably other opium derivatives) for legitimate medical and scientific use. As I understand the proposal of the Siamese Government which is now before us, it is to the effect that the Governments parties to the Hague Opium Convention of 1912 are to be asked whether they will sanction the setting up of a trade in dross to be used for the manufacture of morphine and other opium alkaloids. I further understand the proposal to envisage a trade in dross which may be either internal or international. The sole reason stated for advancing the proposal is a desire to make more money than it has hitherto been possible to realise from the sale of dross by the Siamese Government Opium Monopoly to addicts, a practice which I believe was reported by the Siamese Government to have been followed in 1931.

It is submitted that the technical aspects which this Committee is thus called upon to consider include the following questions :

(1) Would the establishment of the proposed new trade contravene the Geneva Agreement of 1925 ?

(2) Would the proposed exploitation of the internal trade in dross contravene the spirit or any provisions of the Hague Opium Convention of 1912 ?

(3) Would the admission to international commerce of this commodity, which has hitherto been barred therefrom, contravene the letter or the spirit of the Hague Opium Convention of 1912 ?

(4) How might the international exploitation of this raw material for the manufacture of derivatives be expected to affect the suppression of the manufacture of, trade in and use of smoking-opium ?

(5) How might the admission to international trade of this form of raw material—a competitor of raw opium—be expected to affect the proposal eventually to reduce, limit and control the production of the raw materials from which morphine, heroin and similar habit-forming drugs can be made ?

As to the Geneva Agreement of 1925, that compact is an agreement between seven only of the fifty-eight nations which are parties to the Hague Opium Convention of 1912. It concerns the manner in which those seven States propose to carry out certain of their obligations under the Hague Opium Convention. My Government is not a party to the Geneva Agreement, and I do not propose to go into the bearing which that instrument may have on the question before us, except to point out that, as is expressly stated in its Protocol, that Agreement can in no way alter the obligations imposed by the Hague Opium Convention of 1912, so that, if the Siamese Government's tentative proposal contravenes the Hague Convention, the bearing of the Geneva Agreement on the question of trade in dross is of no consequence.

Let us now consider whether the proposed exploitation of an internal trade in dross by acquiring it from smokers and using it for the manufacture of morphine and other alkaloids in a Government factory, instead of or in addition to selling it to addicts as at present, would contravene the Hague Opium Convention of 1912.

Let us examine the obligations imposed by the Hague Convention in respect of dross and the way in which they affect the internal trade in dross.

The Treaty, it seems to me, is very explicit in this matter. It carefully defines prepared opium as including "dross and all other residues remaining when opium has been smoked". It imposes an obligation to take measures for the *suppression* of "the manufacture of, internal trade in and use of" dross. Such suppression may be gradual but must be effective. I put it to you, can the proposed measure be in any way regarded as a step to suppress "the manufacture of, internal trade in or use of" dross ? On the contrary, it looks to me very like a measure to exploit and develop "the manufacture of, internal trade in and use of" dross.

But the Convention goes further and imposes an obligation to prohibit the import and export of dross, and this it does in very explicit terms. The terms of Article 7 of the Convention seem so clearly and explicitly to prohibit the export and import of dross that there should be no doubt in the minds of the members of the Committee that international trade in that substance is inadmissible if the obligations imposed by the Treaty are to be scrupulously observed. It would seem that the framers of the Convention clearly recognised the danger of temporising in any way with the dangerous residue which remains after opium is smoked and took great care to see that these substances should be explicitly excluded from international trade. The Convention even mentions dross by name.

The document before us expresses the opinion "that the sole object which the framers of the Hague Convention had in view in the whole of Chapter II of the Convention in which Article 7 appears was the *control* and *restriction* of the use of prepared opium for smoking and that the use of dross which is now proposed by the Siamese Government was not aimed at by them and doubtless did not even occur to them". With this view I do not agree. The *control* and *restriction* of the use of prepared opium were only temporary and incidental expedients. The object in view was, as stated in the chapter, the effective *suppression* of the manufacture of, internal trade in and use of prepared opium and the prohibition of its



entry into international trade ; and the framers of the Convention took care specifically to include dross in the category of prepared opium.

The *general* object of the Treaty was, as stated in its preamble, to bring about the gradual suppression of the abuse of habit-forming derivatives of opium and cocaine. Suppression of all trade in dross was embodied in the Convention as one important measure to this end, wherefore dross was expressly included in the substances to which the strictest measures of suppression were to be effectively applied. Although it was stated that such application might be gradual, does any one question that the framers of the Convention considered that suppression should be *progressively* applied ? Does any one consider that *retrogressive* steps in the prescribed measures of suppression are admissible ?

How might the international exploitation of this hitherto barred raw material for the manufacture of derivatives be expected to affect the suppression of the manufacture of, trade in and use of smoking-opium, an objective to which we are all by treaty bound ? I suggest that international exploitation of such a trade cannot do otherwise than tend to a further continuance of the peddling of opium by Governments to addicts, thus further deferring the complete implementation of the treaty signed twenty-two years ago. In the past, the trouble has been that the more opium is smoked the greater is the residue. Does this Committee consider that making available to the monopolies the proposed additional revenue from dross will bring suppression of the opium-smoking vice any nearer ?

To speak plainly, it seems to me that we are being asked to condone a laxity in the implementation of the Hague Convention and that the sole ground advanced therefor is a desire on the part of a Government, which has already derived a profit from selling the smoking opium to addicts, to make additional money out of the sale of the residue left after smoking. In other words, we are being asked not to assist in the suppression of opium-smoking but to provide additional financial support for an institution established to supply opium-smokers with the drug of their addiction. It has been said that, in the packing-houses in Chicago, every portion of the pig is preserved and utilised except his squeal. The question before us seems to me whether we are to regard favourably the extension of a similar economy to the case of opium-smoking and thus, by adding to monopoly profits, assist in further deferring realisation of the aim of the Hague Convention, the suppression of opium-smoking, an objective which twenty years ago seemed much nearer than it does to-day.

I seem to recall the expression in this Committee on various occasions of lofty sentiments disclaiming that profit is the motive which is responsible for continued maintenance of smoking-opium monopolies. I find it hard to reconcile those protestations with the blunt statement now before us, the statement that a Government wishes to go into the dross business for the sole purpose of making money; and I am not the only one who will be amazed if the Opium Advisory Committee gives its blessing in any measure at all to that proposal.

This is not the first time that a suggestion has been made to this Committee that it should condone a loose interpretation of the Hague Convention for the sole purpose of enabling someone to make money out of the sale of drugs. I am afraid that it will not be the last one, as long as we have with us monopolies for the legalised peddling of drugs to addicts, those monopolies that are continually reaching out for a longer lease of life, holding out a specious promise of profits. There seems to be one and only one provision of the Hague Opium Convention which the monopolies wish to see strictly construed—that is, that suppression of trade in prepared opium (including dross) shall be *gradual*.

Why should we not face this problem frankly and courageously ? What is the illicit drug traffic ? It is poisoning one's fellow man for gain. What is a monopoly for the sale of smoking-opium ? It is merely another device for poisoning one's fellow man for gain. One is illegal and the profits go to a trafficker who is justly characterised as "illicit". The other, despite the high hopes held out by the Hague Convention, is legal, the profits going to reduce the taxes of those who do not use opium themselves but batten thus on the misery of the addict. Has not the time now come when this siren song of profits, even with the novel variation which now accompanies it, should be definitely rejected by this Committee ? The Hague Opium Convention was signed some twenty-two years ago, but in how many areas do we see anything that could justly be characterised as *effective* suppression of the manufacture of, internal trade in and use of prepared opium ? And now we are asked whether we will take the backward step of sanctioning an import and export trade in dross. It has hitherto been represented that increase in the profit element of the monopoly system is a thing to be discouraged. Has the position changed ? Does this Committee wish to go on record as lending itself to encouraging and facilitating the profits of smoking-opium monopolies ?

As this Committee is aware, the American Government is of the opinion that the drug treaties should be strictly construed and rigidly enforced. The American Government holds that eventual suppression of the manufacture of, internal trade in and use of dross under any circumstances and for any purpose whatsoever is a treaty obligation as is also prohibition of the import and export of dross. The import of dross into, its export from, its transit through, and its transshipment in the United States or any territory under American

jurisdiction, including the Philippine Islands, are forbidden by law. No licit market for dross may be expected in the United States or in any of its territories. No support for smoking-opium monopolies can be expected from that source.

There is an additional phase of this question which I venture to suggest that the Opium Advisory Committee should take into consideration. The Hague Opium Convention represents international co-operation in an effort to suppress the abuse of opium and its derivatives and of cocaine.

That basic Convention is supplemented by the Geneva Drug Convention of 1925 and by the Limitation Convention of 1931. Recognising that the co-operation of the opium-growing countries is essential to the success of this great humanitarian work, the nations parties to these Conventions have urged the opium-growing countries to become parties also. India, Turkey and Yugoslavia are parties to the Hague Opium Convention of 1912. They knew the terms of that Convention when they acceded to it, and they undoubtedly relied on those terms and on the good faith of the other nations parties thereto. To implement that Convention meant financial sacrifices to the opium-producing nations, sacrifices undertaken under difficulties for the general good of all humanity. The opium producers made these sacrifices, relying on the terms of the Convention, which clearly prohibits the international movement of dross and provides for eventual suppression of the production of dross. Would it be good faith on the part of the other nations concerned now to condone a laxity in the implementation of this Convention which would bring into international trade a competitor for raw opium? Would such action encourage co-operation by opium-producing countries to limit the production of opium to medical and scientific needs?

Let us have a thought for India and Turkey and Yugoslavia and Persia in this matter. We need their co-operation and that co-operation involves financial sacrifices on their part. In implementing the drug treaties, all nations have foregone revenues, but, while the opium producers, India, Turkey and Yugoslavia have foregone the most, those nations which continue to maintain smoking-opium monopolies, not only have foregone the least, but continue for the sake of revenue to put off the day of their complete fulfilment of the obligations under the Hague Opium Convention. And now one monopoly country appears seeking sanction for *additional* revenue to be derived from entry into the field with a new raw material to compete with raw opium. What does the spirit of fair play call for in those circumstances?

The Hague Opium Convention of 1912 is the foundation of the entire world effort to protect humanity from the terrible menace of drug addiction. We think and speak highly of that Convention, but we should not forget that any laxity in construing or implementing that Convention is like boring a hole in the dam. The world looks to this Committee to help protect the drug treaties from being worn away by means of casuistry and technical arguments. I submit that this Committee could not justify itself on technical or any other grounds for giving its sanction to the proposals set forth in document O.C.1568, and I wish again to call attention to the fact that the sole justification advanced for those proposals is a desire to make money.

It is evident that this proposal was advanced by the Siamese Government frankly and with a sincere desire for counsel which would enable it scrupulously to observe its obligations under the drug treaties. The proposals, however, appear to have been advanced without a full realisation of their import. If I have spoken bluntly I trust that the Siamese representative will realise that I did so in a spirit of helpfulness and because I could not do otherwise than forcefully call to attention the serious danger to the entire world effort to prevent the abuse of narcotic drugs which the proposals seem to me to involve.

The CHAIRMAN thought everyone would agree that the procedure adopted by the Siamese Government was entirely correct. It merely applied to the Advisory Committee for an opinion as to whether the proposed action in regard to dross was admissible in view of the Conventions. The American representative had stated that the Siamese Government wished to make money out of its supplies of dross. Most States were at present in need of money, and, if the Siamese Government had large quantities of a material which it desired to use in order to make money, this involved no reproach on the Siamese Government.

Major COLES (United Kingdom) said the American representative had dealt very fully with the provisions of the Hague Convention, so that he did not need to cover the same ground again. He would merely point out that the Agreement reached at the First Opium Conference in 1925 contained the provision in Article V that "the purchase and sale of dross, except when the dross is sold to the Monopoly, is prohibited". This meant that the only sale allowed was to the Monopoly. This interpretation was also clear from the records of the discussions in the First Opium Conference. It could not be argued that this article allowed of any resale by the Monopoly and such an interpretation would be contrary to the article itself and to the intentions of the signatories.

This would appear to be the opinion of his Government, as put on record in a Statute of 1920, which defined prepared opium as opium prepared for smoking and included dross and any other residue after smoking. The Statute provided that it was unlawful for any person

to bring prepared opium into the country and laid down penalties consisting of a fine not exceeding £200 and imprisonment for a period not exceeding six months, or both these penalties.

M. Orhan TAHSIN (Turkey) associated himself with the view expressed by the United States representative. He also thanked Mr. Fuller for his considerate and flattering remarks regarding Turkey. The Committee was aware of the sacrifices made by the Turkish Government in respect of this important problem.

Readmittance of seized drugs to trade involved further losses on the countries already undergoing heavy sacrifices. He therefore hoped the Committee would not allow these sacrifices to be increased by adopting a favourable attitude towards the proposal in respect of dross. These sacrifices ought to be general. He trusted that the Committee would maintain the strict application of the existing Conventions on the traffic in dangerous drugs.

M. VAN WETTUM (Netherlands) pointed out that the question before the Committee was whether, in the Committee's opinion, there were any objections to the import and export of dross for the manufacture of drugs. It seemed clear to the Netherlands representative that Article 7 of the Hague Convention prohibited the import of dross and Article 8 the export of dross to countries which prohibited its import, so that the Committee could not agree to the Siamese representative's proposal.

With regard to Mr. Fuller's speech, M. van Wettum quoted the following passage :

" What is the illicit drug traffic ? It is poisoning one's fellow man for gain. What is a monopoly for the sale of smoking opium ? It is merely another device for poisoning one's fellow man for gain. One is illegal and the profits go to a trafficker who is justly characterised as ' illicit '. The other, despite the high hopes held out by the Hague Convention, is legal, the profits going to reduce the taxes of those who do not use opium themselves but batten thus on the misery of the addict."

He asked whether members should be compelled to listen to offensive remarks directed against their Governments, and raised the question as to whether Mr. Fuller was in order or not in making such remarks.

The CHAIRMAN said he had noted the passage in Mr. Fuller's speech and had at first regarded it merely as a flight of rhetoric, but after M. van Wettum's remarks he must express his regret that Mr. Fuller had gone somewhat too far in expressing his opinion. Mr. Fuller had perhaps been carried away by his enthusiasm, and the Chairman hoped that the passage in question did not correspond with his real opinion. He could not think that Mr. Fuller was actuated by any intention of insulting any Government.

Mr. FULLER (United States of America) greatly regretted if anything he had said was offensive to any Government, but he thought it was his privilege to speak frankly in the Committee. He had merely said what he was sure had been said before in the Committee. If any offence had been taken, he was quite willing that this passage should be deleted from the Minutes.

M. VAN WETTUM (Netherlands) expressed himself satisfied by Mr. Fuller's explanation.

M. KUSAMA (Japan) said that he had sent the Siamese Government's memorandum to his own Government, but had not yet had instructions to give an official reply. The opinion which he would express was therefore a personal one. The Japanese Government would no doubt give sympathetic consideration to this question.

He regarded the Siamese proposal as an entirely new one, which had developed out of the circumstances peculiar to the system of control of opium-smoking instituted in Siam. It was therefore difficult to apply the strict interpretation of the Conventions, but the proposal must be considered in the light of the new circumstances. The problem before the Committee was how to deal with the disposal of dross by the Siamese Government. It was stated in the Siamese memorandum that the framers of the Hague Convention had, in Chapter II, dealt with the question of prepared opium for smoking and had placed dross on the same basis as prepared opium. As the dross was harmful if smoked, the Convention attempted to restrict its use by the smokers. The Siamese Government, in observance of these provisions of the Conventions, had instituted a system by which the dross was collected by the Government, which thus prevented its use by smokers. M. Kusama considered that the proposal now made by the Siamese Government to use this substance for other legitimate purposes was in perfect conformity with the spirit of the Convention. If the Siamese Government wished to export the dross under the same conditions as other drugs in accordance with the provisions of the Conventions, he saw no objection to the Siamese Government disposing of the dross in this manner.

Mr. HARDY (India), as a new member, hesitated to intervene in the debate, and did not propose to discuss whether the proposal was in accordance with the Hague Convention, or other opium agreements. The question was of no practical importance to the Government of India, since it was not the practice to collect dross in India. Opium was prepared for smoking only by individuals who were licensed and were allowed only small quantities for the purpose. To collect the dross for commercial purposes would be like attempting to collect cigarette ends for the re-manufacture of paper.

He was not, however, convinced by Mr. Fuller's statement as to the immorality of the Siamese proposal. In pursuance of the Siamese Monopoly, dross was purchased at considerable expense, and this was done for the purpose of suppressing an illicit practice and was thus in accordance with the ideals of the Advisory Committee. If the Siamese Government were merely actuated by a desire for gain, there was no reason why it should purchase the dross at all. Siam had to purchase morphine for scientific and medical purposes from abroad and now desired that this morphine should be manufactured from the large stocks of raw materials at present lying idle. Rather than undertake local manufacture, it preferred to supply the raw material to the old manufacturing countries. This might reduce the amount of opium grown for legitimate purposes, but it could not be regarded as an attempt to exploit the vice of opium-smoking. He thought the Siamese Government should be completely acquitted of any moral turpitude.

Dr. CARRIÈRE (Switzerland) said the Siamese representative, after explaining the position regarding the large stocks of dross in the country, had asked for the advice of the Advisory Committee. He did not for a moment question the good faith of the Siamese Government, and would regret if any statement reflecting on the good faith of the Government appeared in the Minutes.

The question of dross did not directly concern the Swiss Government, but its views regarding the trade in dross were identical with those expressed by the United Kingdom representative. The first Opium Convention had prohibited the sale and purchase of dross, and the Swiss Government considered that no steps should be taken which would increase the volume of raw materials existing in Switzerland.

Moreover, the admission of dross would greatly complicate the control. Dross was a residue after smoking, and the alkaloid content varied considerably according to the method of smoking.

He pointed out that manufacturers in Switzerland had received offers of dross from other European countries, and, on being consulted by the manufacturers, he had replied that the import into Switzerland was prohibited. He was, however, surprised to find that some European countries authorised the trade in dross.

M. FERRI (Italy) thanked the United States representative for his reminder of the danger involved by any proposal to broaden the meshes of the Conventions. He did not need to enlarge on the legal and technical arguments already put forward, but would merely add that, in any interpretation, it was impossible to make distinctions which did not exist.

He thought the Japanese representative was on dangerous ground in stating that the position had changed since the Hague Convention and that the Committee was therefore entitled to suggest a fresh interpretation in harmony with the changed conditions. He thought the Committee could not engage in a discussion on the revision of the treaties.

From the economic point of view also, the Conventions should be interpreted in the strictest possible manner. The Committee would soon have to discuss a Convention on the control of the opium poppy. One of the difficulties in that problem was to find suitable crops to take the place of the opium poppy. If the trade in dross as a raw material for the manufacture of morphine were authorised, this would further increase the difficulties of the growers and would raise a further obstacle to the conclusion of a Convention. The Committee should aim at reducing the sources from which the drugs could be obtained, rather than at increasing them. He understood this to be the sense of the United States representative's statement, with which he was in full agreement.

M. BOURGOIS (France) admitted the correctness of the procedure adopted by the Siamese Government.

The legal position was clear from Article 7 of the Hague Convention, and the export of dross must therefore be prohibited. The contention of the Siamese representative that the object of the Hague Convention was to control and restrict the use of prepared opium for smoking did not detract from the above interpretation of the Convention. The Siamese memorandum also referred to Articles V and XI of the 1925 Agreement. He thought it unnecessary to discuss this question, as the 1925 Agreement concluded between a limited number of States could not have cancelled for any one of them the obligations resulting from the 1912 Convention *vis-à-vis* all the signatories of the latter.

M. DJORDJEVITCH (Yugoslavia) said that the tendency in the Committee had always been to stabilise the use of opium for drugs and to abolish the use of opium for smoking. If the present proposal were adopted, the contrary would be the case. If this practice developed, Yugoslavia would be obliged to export opium to opium-smoking markets.

Phya Subarn SOMPATI (Siam) said the prevalence of opium-smoking in the Far East was obvious to anyone who had been there. He did not defend this vice, but stated that the Governments could not stop it and could only endeavour to restrict it; the best system for this purpose was the monopoly system, which was in general use in the Far East. Naturally, the monopoly at the same time brought profits to the Government.

He did not admit that dross would or would not compete with raw opium. The point was that manufacturers should be free to choose their own raw materials. If they wanted to use opium dross, they should be allowed to do so.

He pointed out that the Siamese Government was at liberty not to collect the dross. In that case, the dross would remain in private hands and would be a source of illicit traffic. That traffic had been stopped by the Siamese Government, to whom, he thought, some praise was due.

He did not address himself to signatories of any particular Convention, but to all. The matter was one of principle, which should appeal to all Members, whether their Governments had signed agreements or not.

Some members appeared to have understood that the Siamese Government wished for an authorisation to export dross to certain countries. All it wanted was an expression of opinion that there was no objection in principle to such exports. If any country did not desire to import dross, it was at liberty to disallow it.

The CHAIRMAN proposed that the discussion should be adjourned and continued at a subsequent meeting, when the members had had time to consider the position.

M. CASARES (Spain) agreed.

With regard to Dr. Carrière's statement relating to countries which authorised the trade in dross, M. Casares asked to what countries he referred.

Dr. CARRIÈRE (Switzerland) replied that, as the entire question was still somewhat obscure, he would merely say that there were such countries in Europe, without giving their names.

*The continuation of the discussion was adjourned to the next meeting.*

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### NINTH MEETING (PUBLIC).

*Held on Wednesday, November 21st, 1934, at 3.30 p.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Bolivia, Germany, Sweden, Uruguay, and Mr. Lyall, Assessor.

#### 992. Export and Import of Dross for the Manufacture of Narcotic Drugs : Question raised by the Representative of Siam (continuation) (document O.C.1568 and Erratum).

The CHAIRMAN read the text of a resolution put in the form of a question to which the Siamese representative wished to have the Committee's reply. The question read as follows :

" Whether any objection in principle is seen or not to the import and export of dross for the manufacture of morphine for legitimate medical and scientific use under the conditions laid down in the international conventions."

Phya Subarn SOMPATI (Siam) pointed out that the Bangkok Conference had expressed a favourable opinion on this question, but that Conference was not so representative a body as the Advisory Committee. He assumed that the members who supported Mr. Fuller's views on this question would vote against his proposal, while those who represented parties to the various international conventions or who understood the wider aspect of the problem would vote in favour. He would like to emphasise that a vote on the present resolution would not commit the countries represented on the Advisory Committee. The Siamese Government was merely anxious to ascertain the views of the Committee, so as to be able to determine its future policy with regard to dross.

M. VAN WETTUM (Netherlands) and M. BOURGOIS (France) confirmed that the Bangkok Conference had taken no decision on the subject.

M. CASARES (Spain) thought that a vote on the resolution put in the form of a question might be misleading and suggested that members should be asked to say whether they were in favour of the Siamese view, as expressed in document O.C.1568, or not.

*On a vote being taken by roll-call, the representatives of the following countries voted against the views expressed by the Siamese Government in document O.C.1568 : Austria, Belgium, United Kingdom, Canada, China, Egypt, Spain, France, India, Netherlands, Poland, Switzerland, Turkey, Yugoslavia.*

*The following voted in favour : The representative of Japan.*

*The representatives of Mexico and Persia abstained.*

The CHAIRMAN noted that the Committee by fourteen votes to one, with two abstentions, felt bound to return a negative reply to the question raised by the Siamese Government.

993. Examination of the Situation in Bulgaria (document O.C.S./Confidential/24).

M. Antonoff (representative of Bulgaria) came to the table of the Committee.

The CHAIRMAN thanked M. Antonoff for kindly accepting the Committee's invitation to attend the discussion on the situation in Bulgaria, and requested the Director of the Opium Traffic and Social Questions Sections to read pages 8 to 15 of document O.C.S./Confidential/24, to serve as a basis for the Committee's discussion.

M. ANTONOFF (Bulgaria) said that as the result of the disquieting revelations made at the Committee's last session regarding illicit traffic and the manufacture of narcotic drugs in Bulgaria, his Government had ordered a complete investigation to be made, the results of which were now before the Committee. The investigation had confirmed very few of the more sensational disclosures that had been made at the eighteenth session, but had served a useful purpose in clearing the ground and strengthening the Government's campaign against the traffic. Possibilities of illicit drug traffic in Bulgaria had now been practically all eliminated; if any still remained, the Bulgarian authorities would welcome any reliable information that would help them to combat an evil which they were fully resolved to exterminate.

Mr. FULLER (United States of America) said that his Government greatly appreciated the prompt action taken by the Bulgarian authorities and would be glad to place at their disposal all the data in its possession, which might facilitate the campaign against clandestine manufacture.

He would point out that, at the eighteenth session, he had made no assertion regarding the quantity of drugs manufactured in Bulgaria, but had merely said that considerable quantities had been manufactured and sufficient acid acetic anhydride imported to enable large quantities of heroin to be manufactured.

Colonel SHARMAN (Canada) also expressed his Government's appreciation of the steps taken by the Bulgarian authorities to control the drug traffic more effectively. Great improvements had undoubtedly been introduced and the Canadian Government would be glad to facilitate in every way the Bulgarian authorities' task.

BAKER Bey (Egypt) associated himself with the remarks made by the United States and Canadian representatives.

The CHAIRMAN, referring to the ease of illicit manufacture mentioned in the last paragraph on page 12 of document O.C.S./Confidential/24, reported that the Austrian, Hermann Samuel Blau, had, as the result of a very thorough investigation carried out by the Vienna police authorities, been recently arrested, together with several accomplices, and was being held for trial. He might possibly have further details of the case before the end of the session.

He asked the Bulgarian representative to convey to his Government the Committee's great appreciation of the helpful and energetic attitude it had taken in investigating the reports as to the existence of clandestine drug manufacture in Bulgaria.

M. ANTONOFF (Bulgaria) thanked the members of the Advisory Committee for the assistance and encouragement given to his Government in its campaign against illicit drug manufacture. He could assure them that the Sofia authorities would continue to keep in close touch with and send regular communications to the Advisory Committee.

(M. Antonoff withdrew.)

994. Hungarian Method for the Extraction of Morphine from the Dried Poppy Plant (documents O.C.1546 (l), (l) (a) and (l) (b)).

M. de Tahy (representative of Hungary) came to the table of the Committee.

The CHAIRMAN welcomed M. de Tahy, who was prepared to give any information in his power regarding the Hungarian dry process of producing morphine.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) suggested that the Committee should concentrate its attention on documents O.C.1546 (l) (a) and (l) (b) dealing with the extent of poppy cultivation generally, and the Hungarian Government's replies to the questions he had put in September last to the Director of the Alkaloida Company, Limited, and adjourn to the next session consideration of the legal points involved.

During a visit to Hungary, primarily for the study of social questions, M. Ekstrand had had an opportunity, on November 3rd, 1934, to visit the Alkaloida Company's factories at Búdszentmihály and to obtain information amplifying certain of the particulars contained in document O.C.1546 (l) (a).

With reference, first, to the information asked for on (1) the output of the factory between April 1st and August 1st, 1934, and (2) the morphine and codeine content of poppy straw, a

comparison between the amounts of poppy straw used by the factory and of morphine extracted showed that the morphine content of the poppy straw had varied as follows :

	(Per thousand, approximately)
In April 1934 .. .. .	0.5
In May 1934 .. .. .	0.8
In June 1934 .. .. .	0.9
In July 1934 .. .. .	0.9

This increased yield might be ascribed : (1) to the fact that the poppy straw from some districts in Hungary was probably richer in alkaloids than that from other districts, but it had not been possible during the period in question to ascertain exactly the alkaloid content of various kinds of poppy straw ; (2) to the fact that peasants were now being taught to give greater attention to poppy straw and not expose it to rain during transport to the factory ; and (3) to the fact that, in the poppy straw used during the period in question, the proportion of dried poppy heads to other parts of the plant, such as the stalks, was probably higher than previously—it was a known fact that dried poppy heads contained more morphine than other parts of the plant, according to preliminary experiments up to 0.4 per cent.

As regards codeine, it would be seen from the figures given in document O.C.1546 (I) (a) that the amount of codeine extracted from poppy straw during the period under review was much less than it should have been if account were taken of the proportion between the codeine and morphine contained in the raw material as shown in the first report on this question (document O.C.1546 (I), point 4).

According to the latter, it should be possible to extract from poppy straw an average of 1 unit of codeine to 10 units of morphine, so that the codeine yield during the period in question should have been approximately :

	Grm.
In April 1934 .. .. .	3,760
In May 1934 .. .. .	3,970
In June 1934 .. .. .	5,120
In July 1934 .. .. .	5,224

The actual yield had only amounted to :

	Grm.
In April 1934 .. .. .	1,657
In May 1934 .. .. .	1,523
In June 1934 .. .. .	910
In July 1934 .. .. .	1,690

This difference was due to the fact that the factory did not extract all the codeine contained in the poppy straw, but only the amount of the drug which could be absorbed by the market.

The method of chemical analysis discovered by M. de Kabay, enabling the alkaloid content of small quantities of poppy straw to be determined in a chemical laboratory, was at present being closely checked by comparing the quantity of alkaloids obtained by laboratory methods from a certain amount of poppy straw with the quantity of alkaloids obtained from the same quality of raw material by the factory. Detailed particulars of the results of these experiments would probably not be received by the Secretariat before June 1st, 1935.

M. de Kabay had emphasised that he had had no opportunity so far to extract morphine from poppies previously used for extracting opium. It had been stated in document O.C.1546 (I) (a) that this straw could probably be used for the extraction of alkaloids according to the process used at Bűdszentmihály. M. de Kabay had said that this point would have to be investigated before such straw could be definitely regarded as usable for the direct extraction of alkaloids from the poppy plant.

The supervision exercised by the Hungarian Government over the Alkaloida Factory at Bűdszentmihály was of a two-fold nature :

(a) As the Hungarian Government was financially interested in the company, the Royal Hungarian Ministry of Agriculture was represented on the Board of the undertaking and on the Supervisory Body. An expert appointed by the Ministry verified the monthly returns of the factory's output and made a surprise visit at least once a month to the Bűdszentmihály Factory to check the raw material used and the products manufactured.

(b) Further, the operations of the Alkaloida Company were generally supervised by the Royal Hungarian Ministry of the Interior in respect of the manufacture and sale of alkaloids in Hungary. In the factory itself, the company kept the workers under close supervision so as to prevent any possible malpractices. Access to the manufactured products was limited to a few employees who could be trusted.

In conclusion, the Director reverted to the question of the morphine content of dried poppy heads as raised by Colonel Sharman in a letter of June 27th, 1934. The Canadian annual report for 1933 stated that the Canadian authorities had found retail druggists selling large quantities of poppy heads to orientals in British Columbia and had found the latter cultivating poppies and harvesting the heads. It had been ascertained that these poppy heads, as retailed



or grown in the country, had a morphine content of 0.25 per cent. The usual procedure was to make infusions of poppy heads and filter the liquid so obtained.

According to the information obtained by the Director, the laboratory tests made by M. de Kabay according to his method would seem to show that the morphine content of dry poppy heads was about 0.4 per cent, a higher figure than that mentioned in the Canadian annual report, but confirmation should be awaited of the results of M. de Kabay's tests before expressing an opinion on the point.

M. Ekstrand added that he had been greatly struck when visiting the Bűdszentmihály Factory by the unassuming personality of M. de Kabay, the inventor of the process, and by the frank reception extended to him. He had the impression that M. de Kabay's interest in the process was based entirely on scientific and not on money-making considerations.

The CHAIRMAN thanked the Director for the great trouble he had taken in compiling such a detailed report and also asked the Hungarian representative to convey the Committee's thanks to the Hungarian Government for the assistance rendered to M. Ekstrand.

M. CASARES (Spain), referring to the information supplied regarding the codeine content of poppy straw, pointed out that it might now be necessary to reconsider the practice hitherto followed of deducting in statistical returns the figures for codeine from those for morphine.

Mr. Duncan HALL (Secretariat) observed that the Secretariat had frequently drawn the Committee's attention to the question of free codeine in calculating the figures for that drug. Under Article 22 of the Geneva Convention, no figures for codeine were supplied to the Permanent Central Board, but from 1934 onwards the signatories to the Limitation Convention would have to supply statistics of all codeine manufactured. The Supervisory Body, in its statement for the year 1935, had drawn attention to the importance of the question of free codeine. Discrepancies had been noticed in the figures given for the yield of free codeine in the annual reports of some of the chief manufacturing countries and the Secretariat proposed to ask the latter for further information regarding the percentage of free codeine normally obtained in the manufacture of opium.

M. BOURGOIS (France) confirmed that the question had often been discussed but never definitely decided owing to the varying proportion (0.2 to 2 per cent) of codeine depending on the origin of the raw opium.

Mr. FULLER (United States of America) made the following statement :

At the eighteenth session of the Committee, two questions were raised in regard to control of the raw material used in the Alkaloida process :

- (1) Whether, under Articles 16 and 17 of the Narcotics Limitation Convention of 1931, Governments are under obligation to supervise, control and limit the quantities of this raw material in the possession of manufacturers.
- (2) Whether such supervision, control and limitation are practicable.

The raw material in question is understood to consist of dried or green stalks and heads of the poppy plant.

The so-called green process of the Alkaloida Company was known at the time when the Narcotics Limitation Convention was drawn up and it is understood that Articles 16 and 17 of that Convention were drafted with a view to covering green heads and stalks of the poppy plant and all possible raw material including opium. The American Government regards the two articles under discussion as clearly imposing the obligation to supervise, control and limit any supplies of poppy heads and poppy stalks in the possession of manufacturers.

The importation into the United States of poppy heads or pods, either broken or whole, green or dried, is prohibited by the Narcotic Drugs Import and Export Act, for the reason that they contain an appreciable percentage of morphine and of other opium alkaloids. There has hitherto been no attempt to import poppy stalks, but the importation of such stalks containing morphine or other opium alkaloids would likewise be prohibited. This being the case, no difficulty is anticipated in so far as imported raw material of the type used in the Alkaloida process is concerned.

Under the American constitutional system, control of the growing of poppies falls within the power of the States. Several States already have legislation which prohibits the growing of poppies, except under licence, and legislation of this character is expected to come before the legislatures of most of the other States very shortly.

If and when it becomes necessary, no difficulty is anticipated in bringing about the passage of federal legislation which will enable the Federal Government to limit the quantity of such raw material in the possession of manufacturers and to control the trade therein. Supervision is already provided for. The entire question of federal control of raw material other than opium and coca leaves is now under consideration.

As to practicability, it is felt that no serious difficulty need be encountered in connection with supervising, controlling and limiting the supplies of poppy heads and poppy stalks in the possession of manufacturers. Limitation and control of supplies in the hands of growers and persons other than manufacturers, however, presents greater problems. This feature



of the situation would appear to point more than ever to the ultimate necessity of limiting the growth and production of the plants which serve as the base for preparation of morphine, heroin, cocaine and similar habit-forming drugs.

The question of permitting manufacturers in the United States to make morphine and similar drugs by processes which use as the primary raw material the entire poppy plant (or poppy heads alone) has several times been presented to the American authorities. In each case, those authorities have expressed themselves as averse to permitting manufacture from any primary raw material other than opium. It has been thought that to accord permission to use raw material other than opium would seriously interfere with the existing system of limitation and control which has worked so well for years past. It was felt that very little if any of the saving in cost of production could be passed on to the ultimate consumer and that the disadvantages of departing from the use of opium far outweigh any possible advantage accruing from reduced production costs. The process described in League document O.C.1546 was offered to an American manufacturer who, after learning the views of the authorities on the subject, decided not to attempt utilisation of the method.

Dr. CARRIÈRE (Switzerland), referring to a query which he had already put at the last session, asked the Hungarian representative what supervision was exercised over the poppy straw on the farms of peasants and what guarantees there were that surplus straw not delivered to the factory would not be exported.

M. DE TAHY (Hungary) thought that, as the poppy plant grew in several other countries, Dr. Carrière's question could not reasonably be confined to Hungary, where, of course, only the straw sold to the Alkaloida Factory was controlled.

Dr. CARRIÈRE (Switzerland) pointed out that, according to the statement just made by the United States representative, the Hungarian process was being offered to other countries and might, therefore, be bought by a country which did not itself grow poppies.

M. CASARES (Spain) believed there was little danger of any secret exports of poppy straw. To extract 800 grammes of morphine, 1 ton of poppy straw would apparently be necessary, and it was a bulky article to transport.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) pointed out that poppy straw only became a raw material when delivered to the factory, where it came immediately under strict control and could only be used for extraction of morphine and codeine by someone acquainted with the Hungarian process. The Secretariat, nevertheless, appreciated the point made by Dr. Carrière and would follow it up in the legal survey that had still to be completed.

M. DE TAHY (Hungary) suggested that the Secretariat might draw up a questionnaire embodying the new points of view expressed during the discussion, which he would be glad to transmit to the Hungarian Government experts.

The CHAIRMAN thanked M. de Tahy for collaborating in the discussion on this question and asked him to convey to his Government the Committee's appreciation of the valuable memoranda submitted.

(M. de Tahy withdrew.)

#### 995. Disposal of Seized Drugs : Article 18 of the Limitation Convention : Draft Recommendation proposed by the Sub-Committee.

Dr. CARRIÈRE (Switzerland), on behalf of the Sub-Committee appointed on November 19th, submitted the following draft recommendation :

"The Advisory Committee on Traffic in Opium and other Dangerous Drugs,

"Reminding Governments that the Convention of 1931 does not provide for the export of confiscated drugs ;

"Considering that confiscated drugs, if again employed in trade, might jeopardise the proper working of the said Convention :

"Recommends to Governments that confiscated drugs be devoted to the requirements of hospitals and scientific institutions or incorporated in Government stocks, if such drugs are not destroyed or converted but reserved for medical and scientific use within the meaning of Article 18 of the Convention."

He added that the draft recommendation embodied the result of the discussions which had taken place between M. Carnoy, M. Casares, Dr. Chodzko and himself. The exact meaning of Article 18 of the 1931 Convention had been widely discussed and the purpose of the present draft recommendation was to explain more clearly how stocks of seized drugs should be disposed of. He pointed out that, in the first paragraph, the words "provide for" should be replaced by "permit" and that the next paragraph merely indicated the reason why the recommendation was made.

M. VAN WETTUM (Netherlands) said that, in view of the machinery of control set up by the 1931 Convention, he saw no reason for adopting the draft recommendation proposed. Referring to the first paragraph, he could not find any article in the Limitation Convention specifically prohibiting the export of seized drugs. Article 7 merely said that the amounts

of drugs seized and utilised for consumption should be deducted from the quantity permitted to be manufactured. He also thought that the second paragraph would not be comprehensible to Governments.

Dr. CARRIÈRE (Switzerland) believed it could be proved from the records of the Limitation Conference that it had been the latter's intention not to allow the export of seized drugs. He had ~~no real~~ objection to deleting the second paragraph to which M. van Wettum objected, but thought it made the actual recommendation clearer.

Mr. HARDY (India) suggested that the last paragraph would be clearer if it were worded to read :

" Recommends to Governments that confiscated drugs, if not destroyed or converted but reserved for medical and scientific use within the meaning of Article 18 of the Convention, and if not devoted to the requirements of hospitals and scientific institutions, should be incorporated in Government stocks."

Dr. CARRIÈRE (Switzerland) said this corresponded to the text originally proposed by M. Casares and would, he thought, be an improvement on the draft proposed.

M. DE VASCONCELLOS (Portugal), referring to the views of the 1931 Conference on this subject, recollected that a minority had wished seized drugs to be destroyed, but the views of the majority had finally been embodied in the text of the present Convention. He had voted on that occasion with the majority. At present he would be rather inclined to favour destruction pure and simple, particularly in view of the increasing number of clandestine factories, but was prepared to support the draft recommendation.

Major COLES (United Kingdom) suggested that it might be better not to adopt the draft recommendation now, but merely to decide on the principle involved. His Government had the matter under consideration, but had not yet arrived at any conclusion, so that he would be unable to vote either for or against the Sub-Committee's proposal.

Mr. HARDY (India) said he would also have to abstain from voting, as he had no instructions from his Government.

Dr. CHODZKO (Poland), in view of the remarks of the United Kingdom representative, thought it imperative to adopt the draft recommendation, so that Governments would be aware of the Committee's views. There was no obligation on Governments to act upon the recommendation.

M. BOURGOIS (France) said it would be impossible for his country to change the attitude it had adopted at the 1931 Conference, especially as strict regulations had been introduced regarding the use of seized drugs. The heroin seized, for instance, was converted into codine, while confiscated morphine and cocaine were only delivered to a limited number of persons, the possession of a general licence not being a sufficient qualification to act as purchaser.

Colonel SHARMAN (Canada) said that the Canadian authorities destroyed all narcotics seized, as they thought this was the correct action to take both from the ethical and from the practical standpoint. He agreed with Dr. Chodzko that if Governments were considering the question, it was a further argument in favour of adopting the draft recommendation.

Dr. CARRIÈRE (Switzerland) said that the Committee was only asked to adopt a recommendation. States would still be free to act as they liked, but to any States which were genuinely at a loss as to how seized drugs should be disposed of, the recommendation would be a very valuable guide.

M. YOKOYAMA (Japan) questioned whether it was really necessary to adopt such a recommendation at the present time, in view of the fact that the 1931 Convention had only been in force for ten months and that Article 18 of that Convention already supplied three alternatives for the disposal of seized drugs.

Dr. Hoo Chi-Tsai (China) considered that the provisions of Article 18 were rather vague. Its meaning had been discussed in the Permanent Central Opium Board without any result, and the Committee would therefore be justified in adopting the present recommendation. He added that the Chinese Government was at present studying the question of the use to be made of seized morphine and such a recommendation as that proposed would therefore be very timely.

M. CASARES (Spain) thought the various misgivings and reservations expressed by some members regarding procedure had been sufficiently ventilated. The Committee had also heard of the value attached by other Governments to the immediate adoption of the recommendation at a time when new departures were being contemplated. He would therefore ask for the motion to be put to the vote.

The CHAIRMAN, before putting the main resolution, asked the Committee to vote first on the proposal for adjourning the question to the next session.

*On a vote being taken by a show of hands, five votes were cast for and twelve against the adjournment.*

The CHAIRMAN declared the proposal for adjournment *rejected*, and asked the Committee to vote on the main resolution.

*On a show of hands, the following recommendation was adopted by twelve votes against four :*

" The Advisory Committee on Traffic in Opium and Other Dangerous Drugs,  
" Reminding Governments that the Convention of 1931 does not ~~provide for the~~ <sup>permit</sup> export of seized drugs ;

" Considering that seized drugs, if again employed in trade, might jeopardise the proper working of the said Convention :

" Recommends to Governments that seized drugs, if not destroyed or converted, but reserved for medical and scientific use within the meaning of Article 18 of the Convention, should be devoted to the requirements of hospitals and scientific institutions, or incorporated in Government stocks."

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## TENTH MEETING (PUBLIC).

*Held on Thursday, November 22nd, 1934, at 10.30 a.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All members, except the representatives of Bolivia, Germany, Sweden and Uruguay, and Mr. Lyall, Assessor.

### 996. Preliminary Measures for the Ratification by the Government of Burma of the Bangkok Agreement.

Mr. HARDY (India) said he had received a telegram to the effect that the Government of Burma contemplated introducing a Bill or resolution in February 1935 in order to enable the Bangkok Agreement to be ratified.

### 997. Application of the 1925 and 1931 Conventions to Poppy Heads and Stalks.

Dr. DE MYTTENAERE (Assessor) said that it had been stated on the previous day that the poppy head contained about 0.4 per cent of morphine. All preparations containing more than 0.2 per cent of morphine came under the two Conventions. He therefore asked whether the Advisory Committee should not recommend to the Governments not to permit the retail sale of poppy heads and stalks except under a medical prescription.

Colonel SHARMAN (Canada) said this was already the law in Canada.

Dr. CARRIÈRE (Switzerland) said that poppy heads could only be sold in Switzerland on a prescription, and the question of poppy stalks did not arise.

M. BOURGOIS (France) said that poppy heads were included in Table A of the French Pharmacopœia, and were thus classified as a poisonous substance.

M. TELLO (Mexico) said that the law in Mexico was the same as in Canada on this subject.

Mr. HARDY (India) said that in India the capsules of the poppy came under the definition of opium, and were subject to the same provisions.

M. VAN WETTUM (Netherlands) said that poppy heads came under the law regarding narcotics, since they contained morphine.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) suggested that other representatives should ascertain the position in their respective countries and communicate with the Secretariat.

### 998. Particulars concerning Special Police for combating the Illicit Traffic (document O.C.1573).

The CHAIRMAN read the passage on this subject in the report by the Fifth Committee of the fifteenth Assembly containing a resolution to the effect that the Advisory Committee should take steps to obtain the necessary information on the subject by placing this question on the agenda of its next session.

Mr. FULLER (United States of America) said he was already in a position to place the required information before the Advisory Committee, and he read the following statement :

In my country, there are two sets of authorities charged with the suppression of the illicit traffic in narcotic drugs : officers of the Federal Government and officers of the State and Municipal Governments.

Under the Federal Governments there are four bureaux of the Treasury Department engaged in suppressing illicit traffic in and clandestine manufacture of narcotic drugs : the Bureau of Narcotics, the Bureau of Customs, the Secret Service and the Coast Guard.

The Bureau of Narcotics, distributed through the various States under Narcotic District Supervisors in fifteen districts, has two hundred and fifty-two agents and inspectors and a clerical force of forty-five clerks, stenographers, etc., engaged primarily in the enforcement of the laws governing the traffic in narcotic drugs. It is this Bureau which is directly charged with the detection and prevention of the clandestine manufacture of narcotics. Attached to the Bureau proper there is a special squad composed of nine of the highest type of investigators whose activities are confined to the apprehension of major inter-district violators, major violators, whose apprehension by the force assigned to a given district is particularly difficult, if not impossible, and to the checking of records of manufacturers and wholesalers with a view to securing, for investigation, the names and addresses of registrants under the law who are ordering considerable quantities of narcotic drugs. There are also in that Bureau ninety-four additional employees, including attorneys and clerical associates.

The Commissioner of Narcotics, who is the head of the Bureau of Narcotics, acts to co-ordinate the efforts of all branches of the Federal Government to prevent and suppress illicit traffic in narcotics. The Bureau of Narcotics maintains liaison, in respect of police matters in which narcotics are involved, with the narcotic administrations of other countries, corresponding through the Department of State except in the case of certain Governments which have agreed to direct informal exchange of police information between the respective heads of narcotics services.

The Bureau of Customs is charged with preventing the smuggling into the United States of all types of merchandise, including narcotics, but it is not believed that the time of the personnel of that Bureau spent in the apprehension of narcotic smugglers is capable of apportionment. The Bureau of Customs co-operates with the Bureau of Narcotics in cases in which narcotics are involved.

The Secret Service is primarily engaged in the protection of the obligations and coinage of the United States, but assists from time to time in combating the illicit traffic in narcotic drugs. It is not possible, however, to apportion the time of its personnel with reference to the apprehension of narcotic law violators.

Under date of August 29th, 1934, the Treasury Department directed that all of its activities having to do with the prevention and detection of the smuggling of intoxicating liquors and narcotics on the seacoasts between ports of entry shall be under the supervision of the Coast Guard. The object is to make the most efficient possible use of the facilities of the Department in preventing the illegal importation of intoxicating liquors and narcotics. This work is co-ordinated through reports submitted on Saturday of each week by the Commandant of the Coast Guard directly to the office of the Secretary of the Treasury, showing the progress which has been made, together with such recommendations as may be considered appropriate to the accomplishment of the objectives stated. The Coast-Guard co-operates with the Bureau of Narcotics in cases in which narcotics are involved.

In view of the fact that State Governments may not be required to submit such data to the Federal Government, the information available as to the organisations and numbers of officers engaged under State Governments in prevention and detection of illicit traffic in narcotics is so meagre as to be almost valueless. It is a fact, of course, that in every State of the Union there is an enactment under which some enforcement is possible, and in a great many of the States, officers of state, county and city Governments are taking measures to suppress the illicit traffic in narcotic drugs, and to co-operate in this work with the agencies of the Federal Government. The following specific information may be of interest in this connection :

In Massachusetts, the city authorities of Boston have assigned two men to co-operate with Federal narcotic officers.

In New York State, the Board of Health is the enforcement agency but has only one inspector detailed thereto. In the city of New York, there is a special narcotic squad attached to the Police Department consisting of twenty-one men. [In the city of Albany, six detectives and one police officer are assigned to such duty.

In the State of Pennsylvania, an efficient Bureau of Narcotic Control is maintained to which are attached five officers.

In the State of New Jersey, a squad of six men from the State Police Bureau is detailed to this work.

In West Virginia, there is no State enforcement agency, but one city, Clarksburg, has an officer assigned to such duty.

In Florida, the Federal Government is receiving splendid co-operation from the State Narcotic Bureau, consisting of a Chief Inspector and three officers.

In Alabama, the city of Birmingham has assigned two men for the suppression of this illicit traffic.

In Missouri, officials of the city of St. Louis have detailed two detectives to report to and work with Federal narcotic agents, and have also assigned one automobile for use in this work.

In Oregon, the city authorities of Portland have designated two officers solely for such activities.

The State of California has created a State Enforcement Bureau to which are attached a chief inspector and several agents and inspectors who have given splendid co-operation in the suppression of the illicit traffic in narcotic drugs in that State.

M. BOURGOIS (France) summarised a Decree of November 21st, 1933, organising a Central Police Service to deal with the illicit traffic. The explanatory memorandum accompanying the decree stated that it had been issued at the request of the Narcotics Department and on the recommendation adopted by the Advisory Committee on May 2nd, 1922. The Central Police Service aimed at centralising supervision of the illicit traffic and exchanged information with similar bodies in other countries. It worked in co-operation with the Narcotics Bureau of the Ministry of Agriculture and with the Customs and other police authorities. It was provided that any arrest or charge brought against traffickers should be reported to the Central Police Service, and certain documents, such as finger-print cards, anthropometric charts, etc., had to be furnished. The Central Service reported each case of illicit traffic to the League of Nations Bureau in the Ministry for Foreign Affairs and to the Narcotics Bureau.

M. Bourgois said he would send a note to the Secretariat on the subject.

The CHAIRMAN thought it unnecessary for each delegate to describe the conditions in his country. The Council resolution requested the Advisory Committee to take steps to obtain the necessary information. He therefore thought the Secretariat should be asked to apply to all Governments for detailed information on the subject.

M. CASARES (Spain) agreed, and suggested that the best means of obtaining replies on a uniform plan would be to send a questionnaire to the various Governments.

M. TELLO (Mexico) thought the questionnaire should include the following main points :

- Does a special police service exist for combating the illicit traffic ?
- By what authority was it created ?
- How is it organised ?
- What is its strength ?
- How is it distributed throughout the country ?
- Co-operation with Customs and police service.
- Text of laws.

Major COLES (United Kingdom) supported the Chairman's proposal, but doubted whether a formal questionnaire was the best way to obtain the information. He thought it would be more useful to ask the countries to furnish a memorandum on the practice prevailing.

M. Orhan TAHSIN (Turkey) supported M. Casares' proposal.

Mr. HARDY (India) suggested that the discussion should be adjourned until the Secretariat had drafted a circular letter to the Governments. He thought it was impossible to draw up a complete questionnaire, and therefore the letter should be worded in general terms.

M. VAN WETTUM (Netherlands) agreed with Mr. Hardy. There were no specialised police in the Netherlands and the same would be the case in some other countries ; he therefore thought the Secretariat should ask the Governments what organisation they employed to check the illicit traffic.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said that if it were only required to send a general enquiry to all countries regarding the means of combating the illicit traffic by special police or other bodies, no further discussion was required at the present time. But if the Committee decided to send a questionnaire, the Secretariat must know what points to include in that questionnaire.

M. TELLO (Mexico) said he had merely suggested a questionnaire as he thought this would facilitate the enquiry. The Assembly resolution pointed out that specialised police services were the only means of combating the illicit traffic and it therefore seemed to suggest that such services should be established in countries where they did not exist. In consequence, it was in regard to such police that information should be obtained.

The CHAIRMAN noted that it was evident that the Committee's duty was merely to take measures to obtain information on the subject.

Dr. CARRIÈRE (Switzerland) agreed that the text of the resolution merely requested the Committee to obtain information regarding the numbers and character of the personnel assigned to this work.

M. CASARES (Spain) thought the text of the Assembly resolution should be quoted in asking the Governments for information.

M. VAN WETTUM (Netherlands) said that some countries had no special police and nevertheless effectively combated the illicit traffic. He would therefore suggest making the enquiry in general terms and omitting the word "special".

M. KUSAMA (Japan) was not in favour of a questionnaire, but thought the resolution should be taken as a basis for the circular letter.

M. TELLO (Mexico) said it was of little interest to the Committee to ascertain the numbers and character of the personnel. It should also enquire regarding the results obtained.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) suggested quoting the resolution and asking for information regarding the police used for combating the

illicit traffic, including specialised police, if any. The letter could also ask for any further information which the countries considered of interest.

Mr. HARDY (India) withdrew his previous proposal and suggested using the words " police or other staff ", since, in some countries, the officials in question were not considered as police officials.

Colonel SHARMAN (Canada) thought M. Ekstrand's proposal referred to the specialised police in a very incidental manner. Traffickers could not, in his opinion, be caught without the assistance of specialised police, and this was the entire point to which the Assembly had drawn the Committee's attention. In Canada, policemen with several years' service received six months' training before they were employed on the detection of illicit traffic.

Dr. CHODZKO (Poland) suggested that the Governments should be asked how the officials were trained.

M. VAN WETTUM (Netherlands) said there seemed to be a difference of opinion regarding the meaning of the words " this class of work " in the resolution. He had taken the words to refer to the campaign against the illicit traffic, while others appeared to think they referred to the specialised police.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) thought these words referred to the specialised police or other staff used for the purpose. The resolution had not proposed to enquire into the training of the specialised police, but he saw no objection to this subject being included in the letter.

*The Committee agreed that a letter should be drafted in accordance with the above remarks.*

999. **Extradition for Offences against the Laws on Opium and Other Dangerous Drugs : Progress made in Recent Extradition Treaties (document O.C.1552).**

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) summarised the document in question, which had been submitted at the previous session. The tables given at the end of the report showed little progress. Very few countries had concluded extradition treaties coming under group A—that was to say, treaties under which offenders against the opium laws could be extradited.

The Legal Section was of opinion that, in order to make a complete study of the question, the co-operation of Governments should be secured by means of a questionnaire.

The CHAIRMAN said the document showed clearly the difficulties encountered in this sphere.

M. VAN WETTUM (Netherlands) thought the discussion should be adjourned to a subsequent session. It would be easier to consider the question when Governments had adopted the Convention for the Suppression of the Illicit Traffic, Article 6 of which provided for greater leniency in extradition procedure.

Colonel SHARMAN (Canada) agreed. The question of extradition was so interwoven with the proposed new Convention that it would be inappropriate to discuss the matter at the present time.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) thought it might be useful if the Conference were provided with data on this point. If the Committee agreed, the Secretariat, in co-operation with the Legal Section, could send out a questionnaire to the Governments.

M. VAN WETTUM (Netherlands) said he was not competent to discuss this question, but if the Secretariat thought such a course useful, he did not object.

Mr. FULLER (United States of America) said the law officials of the Department of State were averse to multilateral extradition treaties. Such a treaty had been drafted at the Montevideo Conference, but it was found that this Treaty would not enable the United States to apply for or grant extradition in respect of narcotic offences. It provided that extradition could only be granted for offences liable to a *minimum* penalty of one year. The United States laws governing narcotics only provided for *maximum* penalties.

He would also refer to the question of extradition from countries with extra-territorial jurisdiction. Legislation existed already in the United States and was being considered or had been passed in the United Kingdom and France on this point.

[While expressing his appreciation for the document submitted, he would merely suggest that these two additional points should be considered.

*The Committee decided that the Secretariat should obtain further information by sending out a questionnaire in co-operation with the Legal Section.*

## ELEVENTH MEETING (PUBLIC).

*Held on Thursday, November 22nd, 1934, at 3.30 p.m.*

*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Belgium, Bolivia, Germany, Portugal, Sweden, Uruguay, Yugoslavia, and Mr. Lyall, Assessor.

### 1000. Examination of the Report of the Sub-Committee on Seizures (document O.C.1580).

M. Orhan TAHSIN (Turkey), referring to the seizures of raw opium said to be of Turkish origin mentioned in paragraph 2 of Section 2(a), asked for detailed particulars which might facilitate the enquiries of the Turkish authorities.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said that the Secretariat would, with the Committee's permission, collect and send the particulars requested.

Dr. Hoo Chi-Tsai (China) pointed out that the Chinese gold Customs unit, referred to in the last paragraph of Section 4 was equivalent at present to 2.073 Swiss francs.

Dr. Hoo Chi-Tsai, in view of the various references made, not only in Section 5(g), but in other parts of the Sub-Committee's report to document O.C.S.212,<sup>1</sup> asked that the latter might be annexed to the Advisory Committee's report to the Council.

The CHAIRMAN said that due consideration would be given to the Chinese representative's request.

Replying to a query by the representative of Poland, Mr. FULLER (United States of America), Rapporteur, said that the 27 cases of seizures mentioned in Section 5(g) had, according to the reports available, occurred during the first nine months of 1934.

Dr. DE MYTTENAERE (Assessor) suggested that the words " wholesale dealers " should be inserted before " hospital dispensers and pharmacists " in the last sentence of Section 8(2).

*Dr. de Myttenaere's proposal was adopted.*

*(The Committee adopted, as amended, the report of the Sub-Committee on Seizures (document C.530.M.241.1934.XI, Annex 1).*

### 1001. Examination of the Report of the Permanent Sub-Committee for the Application of Chapter IV of the Hague Convention.

*The Committee agreed to delete the words " at 3.30 p.m. ", in paragraph 1, and to insert the word " Settlements " in paragraph 2 after " Concessions ".*

Dr. Hoo Chi-Tsai (China) noticed that though, according to the Minutes of the Sub-Committee's proceedings, the original proposal of M. Casares had referred to the appointment of " one or more persons ", paragraph 3 mentioned the " Commission of Enquiry ". He suggested that when replies had been received from all the Governments and authorities concerned, a final decision could be taken as to the actual form of the investigating body and its methods of work.

The words " the extension of ", in paragraph 6 (English text), were deleted and the expression " Concessions and Settlements ", in the last paragraph of the report, was amended to read " Concessions, Settlements and Leased Territories ".

*It was agreed that, throughout the document, the word " enquiry " should be replaced by " survey " in the English text.*

*The Committee adopted, as amended, the report of the Permanent Sub-Committee for the Application of Chapter IV of the Hague Convention (document C.530.M.241.1934.XI, Annex 2).*

### 1002. Examination of the General Situation in China.

Dr. Hoo Chi-Tsai (China) read the following statement :

When the situation in China was discussed at the Advisory Committee's last session, several questions were raised, by the United States representative in particular, to which it was difficult for me to reply on the spot. In addition, the Committee adopted a resolution asking the Chinese Government and the Powers concerned to reply to those questions.

Just at that time—that was to say, in May of the present year—a few days before the Committee discussed the situation in China, the Chinese Government adopted a number of

<sup>1</sup> See document C.530.M.241.1934.XI, Annex 4.



new measures to deal with the narcotic problem in China. As they had only just been adopted and the regulations containing them were very long, I was unable at the last session to speak of them from a full knowledge of their contents.

Since then, I have communicated their provisional English translation to the League Secretariat. This translation has been circulated in document O.C.1576. In studying it, you will see that, although the new measures have the same object as the preceding measures—the suppression of the abuse of opium and dangerous drugs—the method followed to achieve that object was different. Before giving an outline of the new measures, I should like to describe the main ideas that led the Chinese Government to adopt them.

As I have already had occasion to point out at previous sessions, the opium problem in China has been complicated for some years by a new problem, the whole significance of which was not realised before : that of drugs, which threaten to do far more damage in China than could be caused by opium-smoking. The drug problem has become considerably worse during recent years. The principal reasons are as follows : (1) the tendency of traffickers, hampered by European regulations, which have become more strict, to move their centre of activity to the Far East ; (2) the events that have occurred in the Far East, which have prevented the Chinese Government from devoting greater attention to suppressing the source of raw material for the manufacture of drugs, and (3) the abnormal position in North China, of which I have already had occasion to speak in the Sub-Committee on Seizures, and which was described in document O.C.S.212.<sup>1</sup> It is not enough now to combat the use of prepared opium ; we must also, and above all, combat the use of drugs. The drug problem has supplanted the opium problem. Experience has shown that the use of drugs tended to develop in the very provinces in which the suppression of the use of opium had been most strict. One reason why the use of drugs is widespread in China is that a good many opium addicts, from an honest desire to rid themselves of the habit, have taken so-called anti-opium drugs containing manufactured narcotic drugs, so that instead of curing themselves they have contracted an even more dangerous vice than that which they were anxious to drop.

On the other hand, if the use of opium were to be prohibited as strictly as the use of drugs, for example, by enacting the death penalty in both cases, there would be a danger of encouraging opium addicts to become drug addicts. It is obvious that those who are unable to do without narcotics would then prefer to make use of drugs. As a matter of fact, opium-smokers have to have a pipe, a lamp and other more or less bulky paraphernalia, which is easy to detect. It is also easy to detect smokers by the smell of opium smoke, and to detect opium on account of its bulk, which is greater than that of drugs. If, therefore, equally strict measures were taken against the use of opium and drugs, opium addicts would be encouraged to use drugs which are more difficult to discover and cost less. That must obviously be avoided, for of the two evils it is, of course, the abuse of drugs which is more dangerous and should be dealt with first. As by enforcing measures against the use of opium the Chinese Government would run the risk of increasing the number of drug addicts, for the reasons I have given, it was obvious that another method of solving the problem had to be found.

Lastly, the cultivation of the opium poppy, which was carried on in defiance of the law in some of our provinces, could not be completely suppressed from one day to the next for the complex reasons which I have already had occasion to describe at a previous session of the Committee.

Those are the considerations which have led the Government to introduce the new measures laid down in the regulations quoted in document O.C.1576. The new measures can be described as follows : (a) drastic measures against the non-medical use, the manufacture and transport of and traffic in manufactured narcotic drugs, and (b) the substitution of a progressive method of gradual restriction of the use of opium and poppy cultivation for that of absolute prohibition formerly tried by the Chinese Government, which did not give satisfactory results.

I will now summarise the measures laid down in the regulations which you have before you. During my statement, I shall have to refer to these regulations, but, as they all have very long names, I shall give only their numbers, as shown in document O.C.1576.

### *Drugs.*

As compared with foreign legislation, Chinese legislation, as it stood, punished narcotic drug offences very severely. The penalties might amount to five years' imprisonment and a fine of \$5,000. These penalties have been made even heavier and now include the death penalty in the case of manufactured drugs. For this purpose, the Central Political Council laid down, on May 16th of this year, the following principles amending the previous legislative provisions on this matter (document 7) :

- (1) The penalty for the manufacture, transportation or sale of drugs may be death ;
- (2) Drug addicts will be sent to hospitals or special institutions for compulsory treatment, and those who again contract the habit after being cured will be severely punished.

<sup>1</sup> See document C.530.M.241.1934.XI, Annex 4.



With regard to the application of these principles, I would refer you to Regulations 8 and 10. The former lays down the penalties for drug offences, which are now punished as crimes. The second contains rules concerning the institutions to be set up for the treatment of drug addicts.

You will see that No. 8 contains sixteen articles, more than half of which lay down the death penalty. The law applied to drugs is military law, and the military courts will be entrusted with its enforcement. A state of siege has, as it were, been proclaimed in the matter of drugs. As is shown by the title, these are provisional regulations. They will be amended or withdrawn when the drug situation improves. Since they came into force, the newspapers, both Chinese and foreign, have frequently announced the execution in China of drug-traffickers. There have already been about thirty executions since it was promulgated. To give only a few examples, I would mention the following cases :

(1) On September 2nd of this year, In Huan Jan, former head of the second section of the Public Security Office at Peiping, and his accomplice, Ting Chun, were executed for trafficking in drugs.

(2) On September 19th, one Chiu Pao Heon, known as the Morphine King, his wife, and one Wu King Heon, were executed at Nan Tung, Province of Kiangsu, for trafficking in morphine.

(3) On September 21st, Fong Suei was executed at Peiping for having procured morphine and given injections to other persons. The latter, four in all, were sent to a hospital for treatment against addiction.

(4) In the same way, two other traffickers in morphine, Tao Chang Ling and Cheng Hsiao Yung, were executed on October 5th at Peiping.

It is not lightheartedly that I tell you of these executions. We are the first to deplore the severity of the measures we have had to take, but we thought that, in the face of a situation of such exceptional gravity, measures of exemplary severity should be taken and enforced.

With regard to the establishment of institutions for the treatment of addicts, Regulation No. 10 stipulates :

"Article 2.—In addition to the establishment, by the Central Government Office concerned, of a Central Hospital or a Central Research Bureau for the Treatment of Addicts, institutions for the cure of addiction (hereinafter called corrective institutions) shall be established in the various provinces, for the compulsory treatment of opium addicts, as follows :

"(a) Hospitals for curing addiction to be established by provinces and municipalities ;

"(b) Stations for curing addiction to be established by districts ;

"(c) Sub-stations to be established by sub-districts and towns.

"Well-known local public or private hospitals may be entrusted with the task of curing addiction and be subsidised by the aforementioned hospitals or Research Bureau.

"Article 3.—Corrective institutions shall study methods of treatment and prepare medicines to meet the requirement of local addicts. Only the lowest fees should be collected from the out-patients and in-patients for the medicines supplied and services rendered. Addicts who are unable to pay the fees shall be partially or totally exempted from any charge. The sale of medicines for curing addiction shall be prohibited, unless they are prepared or approved by corrective institutions.

"Article 4.—Applicants for treatment, either voluntary or who have been handed over by their relatives, or ordered by Government authorities to receive compulsory treatment, shall strictly observe the regulations and directions of the corrective institutions concerned. After being cured within a specified period, they shall at any time be liable to examination by the corrective institution in question, which will ascertain whether they have really been cured or whether they have reacquired their habit. Addicts not observing the prescriptions and directions and therefore not cured within the specified period, or repeatedly reacquiring the habit after being cured, shall be handed over to the courts and punished in accordance with the provisions of the Opium Suppression Act."

The following information in my possession with regard to hospitals of this kind at Shanghai and Peiping may interest you :

#### *Institution at Shanghai for the Treatment of Drug Addicts.*

The official opening took place on September 30th of this year, but it started to receive patients at the beginning of July 1934. It has six wards, with 108 beds in all. Clothing, food and treatment are free.

From July 11th to September 15th, treatment was given to 732 drug addicts, of whom 618 were men and 114 women. Of this number, more than 300 came of their own accord for treatment.

The ages of the 732 patients were as follows :

Under 20 years .. .. .	3
From 20-30.. .. .	178
From 30-40.. .. .	295
From 40-50.. .. .	191
Over 50 .. .. .	65

Of these addicts there were :

Opium addicts .. .. .	158
Pill addicts .. .. .	186
Morphia addicts taking the drug in the form of injections .. .. .	26
Addicts swallowing or smoking drugs .. .. .	149
Addicts without any preference as to the manner of taking the drug	213

The occupations of these several addicts were as follows :

On the land .. .. .	31
Workmen .. .. .	268
Traders .. .. .	204
Students .. .. .	12
Soldiers .. .. .	14
Miscellaneous .. .. .	103

The length of time taken for the treatment of the addicts who were cured was as follows :

Under 10 days .. .. .	664
From 10 to 12 days .. .. .	40
From 12 to 14 days .. .. .	18
From 14 to 16 days .. .. .	7

The number of cases in which the treatment of drug addiction was stopped by reason of other maladies was three.

### *Peiping Institution for the Treatment of Addicts.*

This institution began to receive addicts on September 4th, 1934. Its official inauguration was on September 20th. In the period September 4th to 19th—that was to say, in sixteen days—the number of addicts who left the establishment cured was 283 men and 67 women. There are now 376 men and 45 women in the hospital. The patients lie on iron beds or on k'ans. Clothing is supplied by the institution ; it is marked on the outside " Under treatment for drug addiction ", so as to prevent the patients escaping. The institution has eight wards for men and one for women. There are two kitchens, in one of which the food is prepared for all patients, while the other is for paying patients who desire to have special dishes, since it is forbidden to visit the drug addicts or to bring them food for fear of drugs being introduced secretly with the food. The youngest of the addicts was 13 years of age and the oldest 73. The number of addicts from 25 to 45 represents 80 per cent of the total number. The institution costs 160,000 Chinese dollars per annum. The cost of the cure of an addict averages 12 to 15 dollars. The hospital's income is derived from subsidies of the Central and Provincial Governments, from private contributions and from a deduction made from the wages of municipal officials in Peiping.

Institutions of the same character as those of Shanghai and Peiping have been opened also in Nanking, Tientsin and other towns. In the province of Kiangsu, about 20 similar institutions already exist and this example is being followed in the other provinces as well.

### *Opium.*

The regulations on this subject deal with the use, sale, transport and production of opium.

1. *Use of Prepared Opium.*—Regulation No. 10 provides that only persons holding a permit may smoke.

" *Article 5.*—Those who, by reason of age or sickness, have become addicts and are unable to be cured within a short time, and are certified as such by physicians of corrective institutions, shall, on application, be registered and granted temporary smokers' permits. They shall be temporarily permitted to use opium, and shall be gradually cured within a maximum period of six years. Smoking shall be completely terminated at the end of this period, and no extension of the permit shall be granted after the expiration of this time limit."

The smoker's permit must be renewed every six months and the dose specified on the permit must be reduced each time.

" *Article 7.*—The holder of a smoker's permit shall, by exhibiting his permit, buy opium from the registered and licensed opium hong or retailers of his locality. The quantity purchased at any one time shall not exceed the ration of ten days, and the purchase of any one month shall not exceed the total quantity fixed for that month."

2. *Sale of Opium*.—Only persons having a special licence may sell opium (Regulation No. 4).

"Article 6.—The aged and the sick, having obtained special smoker's permit authorising them to use opium within a definite time-limit as provided for in the Regulations for the Compulsory Treatment of Opium Addicts and Restriction of Addiction, shall purchase the required opium from opium hongs and retailers specially registered at the local government offices concerned.

"Article 7.—The Opium Suppression Supervisory Bureau (the O.S.S.B.) shall decide on the number of opium hongs, and the local government offices concerned shall, taking into account the local needs, decide on the number of retailers and report to the O.S.S.B. for approval. The number of hongs and retailers, when decided upon, shall be gradually reduced from year to year and no increase whatever shall be allowed. After a period of six years, the operation of these hongs and retailers shall be terminated altogether; and only pharmacies shall be permitted to sell opium under the same restrictions as morphine, cocaine and heroin.

"The aforementioned local government offices shall be designated by their respective provincial government or municipality and shall be under the direction and supervision of the O.S.S.B."

These hongs and opium shops may only procure their opium from warehouses established by the Government.

3. *Transport of Opium*.—Opium for licensed smokers must come from the provinces in which the cultivation of the poppy is at present temporarily authorised. The transport of the opium is in the hands of the Government; but the latter may delegate the work of transport to particular individuals (Regulation No. 9).

"Article 5.—In order to provide opium for the persons in the various provinces who, by reason of age or sickness, have, according to the provisions of the Regulations governing Compulsory Treatment of Opium Addicts and the Restriction of Addiction, obtained smokers' permits for a definite time-limit, the opium needed during this time-limit shall be bought and transported by the O.S.S.B. from the 'frontier' and distant provinces in which opium cultivation has not yet been prohibited, at such a price and in such a quantity as it may determine. Purchase and transportation of opium by any other organisation or private individual shall be prohibited, except in the case of merchants holding purchasing permits issued by the O.S.S.B."

"Article 10.—Purchasing agents shall observe the following requirements :

.....  
"(c) Transported opium shall be sent to, and stored in, the Government warehouse erected by the O.S.S.B. nearest to the point of entry to be examined and stamped by officers of both the O.S.S.B. and the warehouse; after being sorted, numbered and duty assessed, the opium shall be stored and sold in the warehouse. In case the opium cannot be entirely sold in the region where the warehouse is situated, the warehouse in question may be entrusted to transport it to another warehouse in some other locality."

4. *Cultivation of the Poppy*.—Regulation No. 9 provide as follows :

"Article 2.—The prohibition of poppy cultivation shall begin from the 'interior' provinces. To the provinces of Chekiang, Kiangsu, Fukien, Anhwei, Hupeh, Hunan, Kiangsi, Honan, Hopei, Shantung and Shansi, orders have already been issued for immediate prohibition of poppy cultivation. As regards the 'frontier' and distant provinces, poppy cultivation shall be unconditionally prohibited in the regions where such cultivation is hitherto unknown. In those regions where poppy has been cultivated, the amount produced in the future shall be reduced year after year and no increase whatever shall be permitted.

"Article 3.—Officers shall be appointed, during sowing and harvesting seasons, by the headquarters of the President of the Military Council of the National Government, or through the central organisations concerned, to inspect, in collaboration with the local military and civil authorities, the various provinces for which orders have been issued for the prohibition of poppy cultivation, and to uproot poppy plants and to destroy opium gum. Farmers cultivating the opium poppy and officials or village chiefs guilty of conniving at or giving protection to such cultivation shall be severely punished in conformity with the provisions of the Opium Suppression Act and the Regulations for its application, according to the nature of the offence. Troops giving protection to cultivation or guilty of connivance shall be severely punished according to military law. Poppy-cultivated land shall be confiscated, except in cases where the informant is the landowner himself.

"Article 4.—As regards areas in the provinces not mentioned in the regulations issued for the prohibition of poppy cultivation, where such cultivation, at present, cannot be replaced by that of cereals or other produce, and which desire to continue temporarily poppy cultivation, applications giving particulars as to the acreage of cultivation and the approximate quantity of production, shall be filed for registration and for the issuance of permits for cultivation."

Regulations No. 2 and No. 3 refer to the appointment and duties of the officials who are to visit the provinces in order to see whether the cultivation of the poppy has effectively been suppressed. It is laid down (in document No. 3, Part C, Articles 5 and 6) that these officials may be accompanied by troops, or may call upon the military authorities for assistance if necessary.

I propose to read a passage from document No. 3 (Part A, Article 4) which is indicative of the importance the Chinese Government attaches to anti-opium propaganda.

" 4. The Deputy Commissioners shall, in collaboration with the district magistrates, give instructions to sectional offices to hold meetings on the prohibition of poppy cultivation, inviting party, civil, military and educational representatives to give open-air lectures; or else they should organise propaganda corps to travel and lecture and give the widest publicity to the proclamations and handbills. The deputy commissioners and district magistrates shall personally participate in the meetings held in places where poppy cultivation has hitherto been comparatively common."

A special authority has been set up to co-ordinate and supervise all the measures to which I have referred. Regulation No. 5 provides as follows in this connection:

" Article 1.—The Opium Suppression Supervisory Bureau shall have as its functions the supervision of opium suppression in the various provinces, municipalities and districts and the adoption of effective measures for the eradication of opium-smoking within a definite time-limit, and for the seizure of narcotic drugs, all subject to the orders of the President of the Military Council of the National Government. . . ."

Regulation No. 5 also provides for drug police.

The O.S.S.B. is directly under the President of the Military Commission of the National Government and has the advantage therefore of having means of action at its disposal which the National Commission for the Suppression of Opium could not command. The application of the Regulations with regard to drugs has now been entrusted to the O.S.S.B. in the provinces of Hupeh, Hunan, Honan, Anhwei, Kiangsi, Kiangsu, Fukien, Chekiang, Shensi and Kansu. The National Commission for the Suppression of Opium has not ceased to exist but will in future deal with questions not specially reserved to the O.S.S.B. and will again become the supreme authority on narcotic subjects when the work of the O.S.S.B. in abolishing the use of opium and the culture of the poppy within a specified period is at an end.

As the Committee will see from the account I have given of the above measures, the Chinese Government is in a position to supervise all phases of operations in connection with opium, from the cultivation of the poppy to the purchase of the opium by the smoker. The characteristic features of our present system of regulations are as follows:

(1) In view of the extent of Chinese territory and the diversity of conditions in the different parts of China, we are attacking the opium problem province by province, so as to arrive gradually at the suppression of poppy cultivation and of the use of opium throughout China.

(2) The period contemplated for the abolition programme is six years.

(3) In connection with the abolition programme, we have provisionally decreed what may be called a "military period of campaign against drugs", so as to secure possession of all the necessary means of action.

(4) The prohibition laws against opium existing before the promulgation of the new regulations have not been abrogated, but the effect of certain of their provisions has been suspended in so far as they cannot be applied in certain provinces. The provinces which are in a position to apply them will continue to do so, and these laws will become the ordinary law of the land as soon as the emergency situation for which the new regulations provide has ceased to exist. In consequence, the import of foreign opium into China remains prohibited, and the new regulations do not provide for the export of Chinese opium.

(5) Side by side with the punishment of drug addicts, we make provision for their compulsory free cure in institutions opened by the central or local authorities.

I believe these regulations are sufficient evidence of the Chinese Government's desire to do everything in its power to stamp out the drug scourge. I am confident they will command the benevolent interest of the Committee. Any constructive observations which members of the Committee may have to make with regard to them, I shall not fail to transmit to my Government.

Before concluding, I should like to remind the Committee that the fight against drugs in China cannot be confined to unilateral action by the Chinese Government. As I have so often repeated in this Committee, China requires the collaboration of other Powers more than any country, and, in particular, the collaboration of those who, under the system of extra-territoriality and concessions or leased territories, have nationals in China and administer Chinese territories over which China has no jurisdiction, so that the Chinese Government cannot take any action in regard to these nationals or territories without the collaboration of the foreign Powers concerned. The new regulations, for example, which punish traffickers in drugs with death, are not applicable to Chinese living in the Concessions. It is to be feared, under these circumstances, that the Chinese traffickers will take refuge in the Concessions. Again, certain foreign traffickers in China are punished so lightly that it is to be feared their number, which is

already considerable, will even increase in the future, while the number of Chinese traffickers at the same time diminishes. These contingencies are assuredly not what the Chinese Government had in mind when it drew up these regulations, since all its efforts would be in vain if such contingencies should arise. The Chinese Government accordingly hopes it may count on the goodwill and co-operation of the other Powers, and it trusts that the Committee and its Sub-Committee for the application of Chapter IV of the Hague Convention will lend all their assistance to our cause.

*The continuation of the discussion was adjourned until a later meeting.*

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## TWELFTH MEETING (PRIVATE).

*Held on Friday, November 23rd, 1934, at 11 a.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Bolivia, Germany, Portugal, Sweden, Uruguay, Yugoslavia, and Mr. Lyall, Assessor.

### 1003. Appointment of the Agenda Sub-Committee.

M. CASARES (Spain) suggested that the Sub-Committee should be composed of five members—namely, the Chairman and Vice-Chairman of the Advisory Committee, together with the representatives of the United Kingdom, the United States of America and Siam.

*M. Casares' proposal was adopted.*

### 1004. Estimated World Requirements of Dangerous Drugs in 1935 (document C.462.M.198.1934.XI).

*Note.*—The Committee decided at its eighteenth meeting that the record of the discussion on this question should not be included in the printed edition of the Minutes of the session.

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## THIRTEENTH MEETING (PRIVATE, THEN PUBLIC).

*Held on Friday, November 23rd, 1934, at 3.30 p.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Bolivia, Germany, Sweden, Uruguay and Yugoslavia, and Mr. Lyall, Assessor.

### 1005. Codeine as a Drug of Addiction.

### 1006. Responsibility of Exporting Countries in respect of Import Licences.

### 1007. Statement by the Director of the Opium Traffic and Social Questions Sections.

*Note.*—The Committee decided at its eighteenth meeting that the record of the discussion on these questions should not be included in the printed edition of the Minutes of the session.

*(The Committee went into public session.)*

### 1008. Preparation of a Scheme for the Study of Existing Legislation with a view to ensuring the Application of the Conventions and Agreements concerning the Traffic in Dangerous Drugs.

Dr. CHODZKO (Poland), though recognising the successes achieved, felt bound to point out that the Advisory Committee was far from being able to rest on its laurels. One of its most important tasks in the future would be to determine what legislative and administrative efforts were still necessary to enable the League to fulfil completely its duties under Article 23(c) of the Covenant—namely, the general supervision of agreements concerning opium and other dangerous drugs. How could such supervision be exercised without a detailed knowledge of national legislation on the subject as compared with international legislation?

When the Covenant was drawn up, the only international Convention in force was the Hague Convention of 1912. Since then, in 1925 and 1931, other Conventions had been concluded, the latter being followed by the Bangkok Agreement. The League's task was therefore becoming more complex. Not only had international legislation grown, but national laws had been amended and modified as a result of international legislation.

It would be remembered that so far back as 1929 the Assembly had requested the Secretary-General to consider whether it might be possible to prepare a list of all the laws at present in force in the various countries concerning the traffic in opium and other dangerous drugs, together with a summary or analysis of this legislation in order to facilitate the more effective application of the Geneva and Hague Conventions. At its seventeenth session, in November 1933, the Advisory Committee had again taken up this suggestion which had been adjourned on account of the 1931 Conference. At the present time it was even more important to possess such a list of laws, seeing that forty-eight countries had now ratified the legally and technically complex Limitation Convention of 1931. This list would be merely a first step in the investigations, since the Advisory Committee and the Secretariat would have to study such laws of the various countries from the point of view of the application of the international Conventions. He was not proposing that the Advisory Committee should instruct the Secretariat to take up this tremendous task forthwith, although it would have to be grappled with sooner or later. For instance, differences of opinion often arose as to whether a given drug came within the purview of international law on the subject. The Secretariat was consulted on the question; but how could it reply without an intimate knowledge of the various national laws and regulations edited in application of the international Conventions? Every member present must at some time or other have experienced the need to acquaint himself with the laws of other countries.

In order to estimate the possibility of carrying through this immense legislative and administrative study, he suggested that the Secretariat might in the near future prepare a programme of work having in view particularly the practical methods by which this task could be accomplished. Should the study be country by country? What would be the main points to examine, in order to enable the Advisory Committee to form a useful opinion of the way in which the various provisions of international law were being applied nationally? Once in possession of this plan, which could, he fully realised, only be carried out by stages, the Advisory Committee might ask the Council and the Assembly to provide the Secretariat with the necessary facilities for carrying it out. In the meantime, he would be glad if the Secretariat would, at the next session, tell the Committee what progress it had been able to realise in this direction, even if it had not had time to prepare a complete plan.

M. CASARES (Spain) said that the ratification of a convention by a country ought normally to be followed by the promulgation of laws and administrative regulations in that country, and the adoption of administrative measures in order to make national practice conform to the principles laid down in the international act. As forty-nine countries had ratified the Limitation Convention, he knew that it would be too much at the present time to ask the Secretariat to study the laws which these countries had promulgated in application of the Convention, even though the undertaking of that task had been recommended by the Assembly, by the Council and by the Committee itself.

He merely wished to say that he considered the Assembly resolution asking for information regarding the way in which international acts were being applied as a reasonable one. On the one hand, the duties of the Secretariat increased at each session without it being possible to augment the staff proportionately; on the other hand, there was an absolute need to carry through the work of studying national laws. He would therefore ask the Director, to endeavour to find some solution to the problem within the limits of which he was aware.

M. Casares hoped also that the Rapporteur would state in his report to the Council that the Committee had considered this problem.

M. BOURGOIS (France) agreed with Dr. Chodzko's suggestion that a plan should if possible be drawn up, provided that suggestion did not involve any additional expenditure. At the same time, he did not think that there could be any question at present of undertaking a comparative study of national laws. Apart from the question of the expenditure that such an enquiry would entail, he pointed out that this would be to approach the problem from the most difficult angle and from the wrong end. It was not for the Committee to study all the laws of the world to see if there were any lacunæ as regards the application of the Conventions. It was the duty of all countries themselves to study the Conventions and the Model Code and to bring their legislation into harmony therewith. Possibly there might be some adequate practical reason for a theoretical omission in any of the regulations. However, if all that was at present proposed was an ordinary enquiry in regard to this question by the Secretariat, with the means at its disposal, he was quite agreeable.

M. DE VASCONCELLOS (Portugal) supported Dr. Chodzko's proposal in its limited form and also that of M. Casares. Obviously the time was not propitious for any far-reaching enquiry, though the idea of such an enquiry should be kept in mind.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said that the Section would endeavour, in conformity with the Assembly resolution, to see whether it might be possible to draw up a plan. He did not think it would be possible to conduct any study without sacrificing other work that had previous claims on the Secretariat. He suggested that the practical side of the question should be considered by the Agenda Sub-Committee in the light of the comparative urgency of the various tasks.

1009. **Examination of the Statement of Estimated World Requirements of Dangerous Drugs in 1935 issued by the Supervisory Body.**

M. CASARES (Spain) observed, in connection with the application of the 1931<sup>st</sup> Limitation Convention, that a number of points had arisen with regard to estimates. He had referred to these at a previous session, but discussion had been deferred. The annual statement published on November 1st by the Supervisory Body was the basis of all national and international supervision. The effective application of certain provisions of the Limitation Convention depended essentially on the way in which that statement was prepared. Naturally, in the first years, the universal application of a system of estimates for 190 countries and territories was bound to give rise to certain difficulties. The Supervisory Body itself mentioned one of these as follows :

" With so many estimates outstanding on August 1st, the Supervisory Body and its secretariat have had to work under conditions of great pressure in order to prepare the statement by the appointed date, and, even so, it has not been possible in a number of instances to make a complete examination of the estimates. In particular, from several important countries which were requested to supply information or explanations, replies have not yet been received.

" It is of great importance for the effective discharge of its duties by the Supervisory Body that estimates should be in by August 1st at the latest—the date which the parties to the Convention have undertaken to observe."

The main difficulty of the Supervisory Body and its secretariat was that most Governments did not adhere strictly to the date specified in the Convention for sending in their estimates. The non-observance of that date so curtailed the already short period available for preparing the statement as to make conscientious examination an impossibility. The Supervisory Body could do very little itself to remedy this state of affairs. He was sure, therefore, that the Advisory Committee would desire to assist that Body, and proposed that the Rapporteur should insert in the report to the Council a paragraph drawing attention to the situation mentioned by the Supervisory Body in its statement for 1935.

M. Casares desired also to mention another difficulty encountered by the Supervisory Body. The Convention provided for two separate cases in which supplementary estimates must be submitted, one under Article 3 and the other under Article 14. In the latter case—when total estimates had been exceeded—the Permanent Central Board was bound immediately to notify all the contracting parties and these must then refrain from authorising any fresh exports to the country in question until a supplementary estimate had been supplied. Generally speaking, the Supervisory Body was bound, in conformity with paragraph 8 of Article 5, to deal with each supplementary estimate without delay according to the procedure laid down in paragraphs 6 and 7 of that article. The reasons why immediate action was called for under the Convention were obvious, but for the Supervisory Body to be able to act, the Government concerned must supply it with all necessary data, above all a statement of the reasons justifying a supplementary estimate.

On this subject, the Supervisory Body said :

" Since the issue in November 1933 of its statement containing the estimates for 1934, the Supervisory Body has received, and dealt with in accordance with the provisions of Article 5 of the Convention, eighty-one supplementary estimates.

" The Supervisory Body has made arrangements to examine such estimates without delay, as required by paragraph 8 of Article 5; but, in a number of cases, the estimate has not been accompanied by an explanation of the circumstances which necessitate it, as required by Article 3 of the Convention, and without such explanation it is in most cases impossible for the Supervisory Body to deal with the estimate. Information has to be asked for, and some delay results. As supplementary estimates may be, and in a number of cases have been, required to meet emergencies of an urgent nature, it is important, if delay is to be avoided, that a full explanation of the circumstances should be sent with the estimate."

This being so, he thought it would be desirable, in the interests of the Governments themselves and the effective application of the Convention, to draw attention to this point by mentioning it in the report to the Council.

M. DE VASCONCELLOS (Portugal) supported M. Casares' suggestions for aiding the Supervisory Body.

Dr. CARRIÈRE (Switzerland) said that the only means that the Supervisory Body had to express its opinion was through the Advisory Committee. He would therefore be very happy to see the passages quoted by M. Casares inserted in the Committee's report to the Council.

*M. Casares' proposal was adopted.*

FOURTEENTH MEETING (PUBLIC, THEN PRIVATE).

*Held on Saturday, November 24th, 1934, at 3 p.m.*

*Chairman : Dr. SCHULTZ (Austria).*

Present : All members, except the representatives of Bolivia, Germany, Mexico, Sweden, Uruguay and Yugoslavia, and Mr. Lyall, Assessor.

**1010. " The League of Nations and the Drug Traffic " : Pamphlet published by the Information Section.**

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said that the Information Section had published a pamphlet on the League of Nations and the Drug Traffic which had been issued with the *Monthly Summary* for October. This had been decided by the Assembly at the request of the Polish delegate.

Dr. HOO CHI-Tsai (China) asked if this was a reproduction of M. Casares' report to the Assembly.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said that it was, but it had been adapted for publication in its present form.

Dr. HOO CHI-Tsai (China) said that he had suggested adding a list of countries which had signed, ratified or acceded to the Conventions. He observed that this was not included in the pamphlet.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) suggested that a list containing this information could be added to the report to the Council.

**1011. Arrest of Traffickers in Vienna : Supplementary Information supplied by the Chairman.**

The CHAIRMAN, speaking as Austrian representative, referred to his previous statement<sup>1</sup> that the Vienna police had arrested Hermann Blauaug and several accomplices. He wished to add that, according to information just received from Vienna, Hermann Blauaug, Hermann Klempfner and Simon Lamm, who were well-known traffickers, had been brought before the competent court in Vienna on the charge of offering to supply 50 kilogrammes of heroin to other persons. It was established that they had supplied samples of the goods, but the goods themselves had not been found and it was impossible to ascertain their origin. According to the statements of persons involved in this case, there was a possibility that the goods were the same as those sent to New York six years ago by the Peruvian Consul, Baeula, on the instigation of Josef Raskin. The goods had disappeared in New York in mysterious circumstances; it would be remembered that one of the persons implicated at that time, Guillaume Kofler, had been found murdered in his room in a New York hotel. The Chairman wished to emphasise that hitherto it had not been established that the heroin was identical with that mentioned in the Raskin-Baeula case.

**1012. Examination of the General Situation in China (continuation).**

M. CASARES (Spain) expressed his pleasure at the very complete regulations issued by the Chinese Government with a view to the immediate suppression of the clandestine manufacture and use of drugs and the suppression of poppy-growing and opium-smoking within a period of six years.

There were, however, some important points on which further information appeared to be desirable. He understood that the Chinese Government would, in future, be able to ascertain exactly the total quantity of opium imported from the "frontier provinces" into the eleven provinces mentioned in the regulations and referred to as "interior provinces". Consequently, the Chinese Government would, in future, be able to supply the Advisory Committee with all figures relating to imports of opium into those eleven provinces (where, if he were not mistaken, production as such would be prohibited); it would also be able to supply complete information regarding the sale and consumption of opium in these "interior provinces" and the revenue obtained from the sale of opium, together with all particulars regarding the part of such revenue which the Government devoted to the suppression of opium.

Dr. Hoo had described these new regulations as "a method of gradual restriction of the use and the cultivation of opium" which had been substituted for the "absolute prohibition formerly pursued by the Chinese Government which had not given satisfactory results".

Though the rate at which gradual restriction was to be carried out had not been indicated, the regulations clearly showed that the restriction would be progressive and would apply

<sup>1</sup> See Minutes of the ninth meeting.



to the importation and sale of opium in the eleven "interior provinces" and to the cultivation of opium in the "frontier provinces". At the end of the six years in question, the suppression would therefore be an accomplished fact in the "interior provinces" and the "frontier provinces".

The Advisory Committee would therefore be able to follow, by means of the Chinese Government's annual reports, the progress accomplished by the Government in its attempt at the complete suppression of opium and narcotic drugs.

M. Casares was glad to offer to the Chinese Government the best wishes of his own Government in respect of these regulations, and was sure that the Chinese Government was doing its utmost to apply them strictly.

The system providing for the establishment of Government stores under licence, opium hongs and retail shops, which he considered admirable, would certainly enable the Chinese Government to draw up statistics of great value such as it had been unable to establish under the system of absolute prohibition.

The fact that the smokers would be registered and be granted licences in order to procure opium would make it possible to establish the number. The fact that the opium would be sold under Government control would enable the total sales to be ascertained. These two figures would enable the Chinese Government, for the first time, to draw up average consumption figures per smoker per year.

The Chinese representative had stated that the National Commission for the Suppression of Opium had not ceased to exist, but would in future deal with questions which were not specially within the competence of the Opium Suppression Supervisory Bureau (O.S.S.B.). Since the regulations did not state whether the statistics to which he had referred would be drawn up by the Bureau, he asked whether this was the case or whether they would be furnished by the National Commission for the Suppression of Opium. Perhaps the Chinese representative would be able to assure the Committee that the information in question would be received from one or other of these two bodies.

The regulations regarding opium derivatives, white and red pills, and cocaine, were so definite and so drastic that they called for no comment. He could only express his sincere desire that they should be applied with all the rigour of the law.

In conclusion, he congratulated Dr. Hoo, not only on his masterly statement, but on the fact that he had made his Government understand the great interest felt by international bodies in the position regarding opium and narcotic drugs in China.

He also congratulated the Chinese Government on the frank and unyielding attitude with which it had faced this national danger.

Lastly, he congratulated the President of the Military Council of the National Chinese Government, General Chiang Kai Shek, who had not hesitated to take upon himself the heavy responsibility of applying the regulations in question in order to put an end to the clandestine manufacture of drugs and to suppress the cultivation and use of opium for smoking within a limited period of six years.

Mr. HARDY (India) referred to the Circular Letter sent out by the Secretariat on November 9th, 1934, asking for statistics regarding imports and exports of acid acetic anhydride and caffeine. He understood that the Council had misinterpreted the Committee's recommendation in respect of caffeine. Many countries would find it difficult to comply with the request contained in the Circular Letter, since caffeine was included among a large number of other miscellaneous drugs in the Customs tariff. It would therefore be impossible for such countries to supply information for the last three years, and very difficult for them to supply it even in future. The information could only be supplied by countries manufacturing and exporting caffeine in large quantities.

Mr. Hardy asked whether, in these circumstances, it was worth while for countries to endeavour to supply the information, since in any case complete statistics would not be available. So far, the question of caffeine had arisen in one country only, and the Government of that country had stated that it could supply the figures. He would suggest that, if countries were constantly asked to supply information of this kind which was not of much value, they would be less ready to supply more important statistics.

M. DE VASCONCELLOS (Portugal) congratulated the Chinese Government on the wise policy which it had initiated. Any attempt to put a stop to an established habit by sudden methods was bound to fail.

The peoples of the Far East were in many cases underfed, and the use of opium gave them a feeling of well-being. The abolition of opium-smoking could only be brought about gradually, and should be accompanied by improvement in education and social status, and by economic progress. Possibly the period of six years was too short a time to achieve the necessary result. He pointed out that the Portuguese Government had adopted the same policy in Macao.

With regard to caffeine statistics, he considered it impossible and even unnecessary to obtain such statistics for all countries. It was, however, desirable to obtain the information in respect of imports into China, where the substance was used for the manufacture of anti-opium pills. If there were other countries where caffeine was used for the same purpose, they should be requested to supply statistics.

M. CASARES (Spain) said he had raised the question of caffeine especially in connection with China. For the present, that was the only country whose imports of caffeine were of interest to the Committee.

Dr. Hoo Chi-Tsai (China) expressed his appreciation of the Portuguese representative's remarks. M. de Vasconcellos had compared the Chinese system to that in force in Macao. He wondered whether this was a matter for congratulation. The Chinese Government was applying a new remedy the purpose of which was to put an end to the opium evil within a specified period, which distinguished it from the system in Macao.

The Chinese Government admitted that the system which it had adopted was a *pis aller*. It was different from the ordinary monopoly system in force in other countries. Doubts had been expressed as to the possibility of abolishing opium-smoking in six years. He could only say that the Chinese Government was determined to put an end to this evil. There would be a gradual restriction of cultivation, and permits for individual consumption would provide for a decrease in quantity every six months. These features were peculiar to the Chinese system and distinguished it from other systems in the Far East.

With regard to caffeine, China had promised to supply the statistics regarding her imports, and would do so. He agreed that no useful purpose could be served by asking all countries to supply the statistics, but, on the other hand, he thought that information should be supplied by the countries or territories in which heroin pills were manufactured.

M. DE VASCONCELLOS (Portugal), in reply to Dr. Hoo, said he had not congratulated the Chinese Government on introducing less strict regulations than before, but on the wisdom of the new regulations. The authorities of Macao had gone through the same troubles as the Chinese authorities; they had tried to advance too quickly, and had failed.

He would point out that the Portuguese authorities had been compelled to adopt their present policy, not on account of any Portuguese opium-smokers, but solely on account of the large number of Chinese in the territory.

M. YOKOYAMA (Japan) said it was evident from the documentary material submitted to the Committee that Dr. Hoo's personal efforts had to a great extent contributed to the adoption of the new regulations by the Chinese Government. He therefore sincerely congratulated him on the success which he had achieved.

Some persons, belonging to what he would call the "absolute prohibition" school, might regard the new Chinese regulations as a step backward instead of an advance, since the measures in question presupposed a sort of monopoly, which they condemned because the possibility of financial gain might lead to abuse; but persons like himself, who belonged to the "gradual abolition" school and who were at grips with these evils which prevailed in Asia and had experienced the difficulties encountered in the campaign against this scourge, considered that the new anti-narcotic organisation of the Chinese Government marked a great step towards the gradual but effective suppression of dangerous drugs.

In order to obtain the results achieved in Formosa and Chosen, the Japanese authorities had devoted thereto forty and twenty years respectively of methodical and persevering effort. This work would have to be continued for a further number of years in order to reach the final aim—the total suppression of the abuse of narcotic drugs. But Formosa and Chosen were insignificant compared with the vast territory of China, with its population of 450 millions. The work in that country would therefore require much courage, patience and perseverance.

The Committee should not be too optimistic and expect miraculous results in the near future. On the other hand, it should not be too pessimistic and lightly condemn either the monopoly system or the system of gradual abolition. A tribute should be paid to the wisdom which had dictated this policy, which was the most practical course the Chinese Government could follow. The maintenance of nominal prohibition was of no effect, while a systematic campaign would ensure the success merited.

Some people might criticise the excessive stringency of the punishments provided in the new Chinese regulations, but this was a question of which only the Chinese Government was capable of judging. The measures taken showed, in particular, a clear desire to improve a situation which had threatened to become more and more critical.

He was certain that the competent Japanese authorities shared his view on this subject. He would not fail to take all steps so that they might do their utmost to ensure the indispensable co-operation to China. If the Committee desired to express its satisfaction or encouragement in any form, he would willingly take part.

Colonel SHARMAN (Canada) thought Governments should not be asked again to supply information regarding caffeine. He described the enormous work involved in obtaining statistics regarding acid acetic anhydride, which was classed under "Miscellaneous drugs" in the Canadian Customs tariff. He would hesitate to ask his Government to repeat this work for caffeine.

Dr. CARRIÈRE (Switzerland) said he would endeavour to obtain the figures of Swiss exports to China, but could not undertake to obtain the figures for other countries.

He pointed out that, if caffeine were prohibited, this substance could easily be replaced by other drugs with similar properties.

He took the opportunity of adding his congratulations to Dr. Hoo and the Chinese Government for the measures taken, which he hoped would be effective.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said the Secretariat knew that heroin pills had been seized, and were therefore probably manufactured in China, in the Chinese concessions and settlements and in Hong-Kong and Macao. He

suggested that these territories should be asked for information, together with any other territories in which heroin pills had been seized or were manufactured.

Dr. Hoo Chi-Tsai (China) pointed out that the procedure for obtaining statistics had been decided by the Council.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) agreed, but said the Council could amend its decision, or interpret it, and the correct interpretation should be given in the Committee's report to the Council.

Dr. CARRIÈRE (Switzerland) understood that the Circular Letter was addressed only to the exporting countries. It now appeared that importing countries were referred to. In that case, he withdrew his offer to try to obtain Swiss export statistics.

*It was agreed* that the Advisory Committee should obtain statistics regarding imports of caffeine from the countries where the heroin pills were manufactured or where such pills had been seized. This decision was taken to refer only to the territories mentioned by M. Ekstrand and to any countries where, in the future, the pills were manufactured or seized.

Phya Subarn SOMPATI (Siam) associated himself with the compliments paid to China in respect of her opium policy. In Siam, the opium-smokers were practically all Chinese and the opium smuggling was practically all from China. Consequently, any policy adopted by China in regard to the suppression of smoking or of the cultivation of the poppy had its repercussions on Siam. If China succeeded in suppressing the evil in six years, Siam must also succeed, and, indeed, success could be achieved in most other parts of the world. In these circumstances, the Chinese regulations were of vital importance to Siam and many other countries.

He asked whether the six-year period was merely the expression of a hope or whether China promised successful enforcement of the regulations.

M. FERRI (Italy) said that, though Italy was not directly concerned with the Far-Eastern question, the Italian representative followed developments regarding the drug traffic in China with great interest. He therefore wished to associate himself with the satisfaction expressed at the measures taken in China. The Japanese representative had proposed a collective expression of appreciation on the part of the Committee, and he therefore submitted the text of a draft resolution to the effect that the Committee expressed keen satisfaction at the energy displayed by the Chinese Government and hoped that the measures introduced would soon lead to a notable improvement in the situation in the Far East.

Dr. CHODZKO (Poland) said he had not intended to intervene in the debate, since every Government was entitled to take the steps which it thought fit, but he felt obliged to express an opinion on the draft resolution just proposed.

It was evident that the new measures taken by the Chinese Government were merely an introduction to a monopoly. Consequently, what was formerly illicit in China had now become licit. The Chinese representative had not given full details regarding the sale of the opium poppy to the State and the revenues which the State expected to receive. Dr. Chodzko understood and appreciated the difficulties of the Chinese Government and did not wish to criticise the measures it had taken. Many members had congratulated Dr. Hoo, though, as the latter had himself stated, the measures were merely in the nature of a *pis aller*. It would, therefore, perhaps have been better to postpone the congratulations until the measures had proved successful. One member had even spoken in favour of the institution of a monopoly. He would point out that, in Japan itself, good results had been obtained not by the monopoly system but by absolute prohibition. Whenever a monopoly was established, it was always described as a provisional measure, but he observed that monopolies had a tendency to become permanent. In the present case, it was stated that in six years an end would be put to the practice of opium-smoking and addiction to drugs. But, as M. Yokoyama had said, this was merely a theoretical period.

Anyone reading the Minutes of the present meeting might gain the impression that the Advisory Committee was in favour of opium monopolies. This was a very dangerous impression and he could not, therefore, vote for the Italian representative's draft resolution under any circumstances, and hoped it would not be put to the meeting. Dr. Chodzko thought the only attitude which the Committee could adopt towards the Chinese regulations was to await the results obtained.

M. CARNOY (Belgium) joined in the congratulations addressed to Dr. Hoo. Hitherto, there had been two schools of thought. The first included the idealists with high theoretical aims, and the other those who realised the difficulties in practice. These two schools now seemed to have combined and established a system which might gradually lead to considerable improvement. He also agreed that the Committee should not celebrate the success of the regulations until they had been tried.

He was not in favour of passing a resolution congratulating the Chinese Government. The monopoly was perhaps only the lesser of two evils and might be the only solution. The Committee should not, therefore, criticise it but, at the same time, should not officially approve this method. Instead of passing a resolution, it would, in his opinion, be better to record in the Minutes the remarks made by the various members.

He would be glad if the Chinese representative could supply regular information which would enable the Committee to ascertain the progress achieved.

M. FERRI (Italy) said his idea had been merely to combine the congratulations expressed on all sides. The wording he had proposed referred merely to the energy shown and did not express any opinion on the monopoly system. He would not, however, insist on his proposal.

Major COLES (United Kingdom) associated himself with the congratulations expressed to Dr. Hoo, but he agreed with Dr. Chodzko and M. Carnoy that it would be better, and even more in accordance with Dr. Hoo's feeling, to refrain from passing a formal resolution until the result of the measures taken had become apparent.

Colonel SHARMAN (Canada) also associated himself with the expressions of good will, but considered that a resolution would be more appropriate at a later date.

M. YOKOYAMA (Japan) said there was a misunderstanding with regard to his remarks on the monopoly question. He had not stated that China had instituted a monopoly. He had merely made a passing allusion to the anxiety which might be felt by partisans of the immediate drastic abolition of opium and other dangerous drugs, in view of the measures recently taken by the Nanking Government. He had merely desired to show his appreciation of the Government's wisdom in choosing a new and energetic method of conducting the campaign. Dr. Chodzko had said that in Japan, where there was no monopoly, this scourge did not exist but was confined to Japanese territories which had established a monopoly. This conclusion was incorrect. In Japan, where the evil had never existed, no monopoly had been established, while in other territories where it did exist, a monopoly was introduced as a means of gradual suppression. The monopoly system was merely a means and not an end in itself.

As regards the congratulations expressed, he would be satisfied if they could be recorded in the Minutes.

Mr. FULLER (United States of America) congratulated Dr. Hoo on his able and frank statement. The new regulations were very long and complicated, but, having been able to devote only a few hours to their study, he was as yet unable to state what their import might be. He would, therefore, refrain from any comment as to the wisdom of these regulations or prophecy as to their future result.

Dr. Hoo Chi-Tsai (China) thanked all the members who had expressed their appreciation of the steps taken by the Chinese Government and of his personal efforts. He must, however, admit that he had had no personal share in the new Regulations, which had been decided upon by his Government in May 1934, or even earlier—that was to say, prior to the discussion which took place on the situation in China at the last session of the Advisory Committee. The Government had taken those measures on its own initiative because it realised the great danger to which the country was exposed.

As regards the supply of regular information, to which the Spanish and Belgian representatives had referred, this matter was dealt with on page 14 of document O.C.1576 relating to the functions of the Opium Suppression Supervisory Bureau. It was the duty of the second section of the Bureau to compile statistics of revenue, transportation and consumption, while the third section dealt with matters concerning investigation into and statistics on the prohibition of the use of opium. Provision was therefore made for the establishment of regular statistics. In reply to M. Casares' question as to whether statistics would be provided by the Bureau or by the National Commission on the Abolition of Drugs, Dr. Hoo said that they would be supplied by the former body and would, he thought, be sent to the League through himself by the National Opium Commission, which remained competent to deal with all matters not in the hands of the Bureau. It was also possible that they would be despatched through the Ministry for Foreign Affairs.

He thanked M. Yokoyama for his observations. M. Yokoyama had said that he did not compare the Chinese system with a monopoly in the strict sense. Dr. Hoo had already pointed out, in reply to M. de Vasconcellos, that the Chinese system varied considerably as regards opium from the monopoly system. It was neither a monopoly nor an immediate prohibition, but a system evolved to overcome the drug menace and to suppress gradually the cultivation of the opium poppy. There was an old Chinese saying which described a man faced with two evils as chasing the tiger out of the front door while the wolf came in at the back door. In this case, the tiger was the drug evil and the cultivation of the poppy, while the wolf was the permanent monopoly. The problem for China was to get rid of one of these evils, without allowing the other to take its place.

Dr. Chodzko had pointed out that the Chinese system resembled a monopoly and had referred to the temptation to make monopolies permanent on account of the revenue which they produced. He had based his remarks on the experience gained in other countries. The Chinese Government realised this danger and would do everything to avert it. In this respect, China had precedents in the history of the opium campaign which justified greater optimism. Twenty years ago, she had succeeded in suppressing the opium evil and the cultivation of the poppy, and she was confident of being equally successful in the present case. Dr. Hoo wished to thank the United Kingdom Government, on behalf of the Chinese Government and people, for the assistance granted in suppressing the evil on that occasion. International co-operation was now much greater in all spheres, and he was confident that the assistance of other countries would not be withheld from China at the present time.

He agreed with previous speakers that the revenue obtained from monopolies was a great temptation, but he would point out that China had formerly given up the likin system in spite of the fact that it produced an annual revenue of at least 70 million Chinese dollars.

He thanked M. Yokoyama for expressing the readiness of his Government to co-operate with the Chinese authorities in the task with which they were faced, and was sure that other Governments would also show the same desire for co-operation.

The Siamese representative had stated that almost all the smokers in Siam were Chinese. On the other hand, the Siamese annual report stated that opium-smokers in Siam were not registered and that consequently the number was not known. If they were not registered, he wondered how it was possible to state their nationality. The Siamese representative had also stated that the opium smuggled into Siam came from China, so that the new Chinese regulations would help Siam. This statement raised the old controversy regarding the monopoly system and smuggling. He thought that, if no opium whatever were smuggled into Siam, it was not certain that the Siamese Government would put an end to this monopoly.

As to the Siamese representative's question whether the regulations would be successful, Dr. Hoo did not wish to indulge in prophecy. No one could state whether any particular Convention or set of regulations would be successful. He was sure the Siamese representative would not give a definite reply if asked whether the Siamese monopoly would come to an end. Who could say at the present moment whether the 1931 Convention would be successful in suppressing drug addiction? He thought the Committee had plenty to do in the present without prophesying as to the future.

He thanked the Italian representative for his proposal to express the appreciation of the Committee in a draft resolution regarding the energy displayed by the Chinese Government. He thought, however, that a statement in the Minutes and in the report to the Council regarding the views expressed in the Committee would give a more exact picture than a formal resolution that might give rise to different interpretations.

In conclusion, he wished to stress the fact that the Chinese Government had taken the measures of its own accord and not with a view to meriting the praise or displeasure of others.

The CHAIRMAN emphasised the fact (which did not often happen in the Committee) that congratulations had been expressed from so many quarters. In his capacity as Austrian delegate, he joined those speakers who had congratulated the Chinese representative. On behalf of the Committee he expressed its great satisfaction at the very adequate measures taken by the Chinese Government in order to suppress the abuse of manufactured narcotic drugs. Referring to the institution of a monopoly in China, he thought it advisable to wait for the results obtained. At any rate, the best wishes of the Committee accompanied the new efforts of the Chinese Government.

#### 1013. Examination of the Draft Form of Annual Report for the Use of Governments (Documents O.C.1501(5) and 1501(5a)).

M. DE VASCONCELLOS (Portugal), Chairman of the Sub-Committee on the Form of Annual Reports, said the study of the form had been carried on for some years and had now been completed.

*The Committee decided to examine the form section by section.*

##### *Document O.C.1501(5).*

Mr. Duncan HALL (Secretariat) read the following footnote referring to the title of the document and dealing with the statistical forms issued by the Permanent Central Opium Board :

"For statistical data to be supplied to the Permanent Central Opium Board under these Conventions, see statistical forms prepared for the use of Governments by the Board."

*This footnote was adopted.*

Colonel SHARMAN (Canada) noted that the reports were to be forwarded not later than July 1st. He asked if it was intended that the reports should be sent by the various countries or received by the Secretariat by that date.

M. VAN WETTUM (Netherlands) said the date in question was the date of despatch.

*The text in question remained unchanged, and it was decided that it should be understood in the manner stated by the Netherlands representative.*

#### *Section V. Illicit Traffic.*

Mr. Duncan HALL (Secretariat) said the Sub-Committee had modified the footnote relating to the title, which originally read ". . . should be furnished to the Secretary-General . . .", to read as follows : ". . . should be received by the Secretary-General . . ." It had been agreed to omit the second footnote relating to paragraph 2.

Colonel SHARMAN (Canada) thought it undesirable that one part of the report should be required to be sent off before a certain date, while another part should be required to be received by a certain date. He thought that the same procedure should be adopted in both cases.

M. KUSAMA (Japan) proposed that no change should be made in the text, which had been decided with a view to meeting the requirements both of the Secretariat and of the Governments. Any change would cause confusion.

Mr. HARDY (India) also thought the meaning was quite clear, and the general question which the Sub-Committee had thoroughly discussed should not be re-opened.

*The Committee decided to retain the Sub-Committee's text.*

*Section IX (Section X in Final Text) : Internal Control of Manufactured Drugs.*

Mr. Duncan HALL (Secretariat) said the Sub-Committee had changed the expression "manufacturing chemists" in paragraph d(i) (paragraph 4(a) in final text) to read "pharmaceutical firms manufacturing preparations for the wholesale trade". The same change had been made in the following paragraph.

*Document O.C.1501(5a).*

*Section VII, a (Section VII in Final Text) : Raw Opium.*

M. KUSAMA (Japan) suggested that paragraphs 2(a) and (c) should be combined.

*M. Kusama's proposal was adopted.*

M. PILOSSIAN (Persia) said it was difficult to estimate the morphine content of the opium produced during the year, as required by paragraph 2(a). Such an estimate would be very approximate, since the content varied from province to province and from year to year.

Mr. Duncan HALL (Secretariat) said the object had been to obtain some basis for the limitation of raw materials. Such limitation would have to be mainly on the basis of the morphine requirements of the world. It was obvious that the information would be merely an estimate, but it would nevertheless be valuable in drafting a Convention for limiting raw materials. He suggested that the words "as far as possible" might be inserted in this paragraph.

M. PILOSSIAN (Persia) agreed.

*Mr. Duncan Hall's proposal was adopted.*

M. DE VASCONCELLOS (Portugal) suggested inserting the title "straw of the opium poppy" before paragraph 6(b) (paragraph 7(b) in final text).

*Agreed.*

Mr. Duncan HALL (Secretariat) pointed out that the words "if possible" at the end of the first phrase of paragraph 6(b) (paragraph 7(b) in final text) referred only to sub-paragraph (a) (sub-paragraph (i) in final text) and should therefore come at the end of that sub-paragraph.

*Agreed.*

M. KUSAMA (Japan) suggested inserting paragraph 7 after paragraph 4.

*M. Kusama's proposal was adopted.*

*Section VII, b (Section VIII in Final Text) : Coca Leaf.*

*The Committee decided to omit the words "and categories of" in paragraph 12 (paragraph 4 in final text) and to insert that paragraph before paragraph 11 (paragraph 5 in final text).*

*Section VIII (Section IX in Final Text) : Indian Hemp.*

*The Committee decided to place the words "Indian hemp" in inverted commas and to alter the footnote to read : "Except in the phrase 'Indian-hemp plant', the term 'Indian hemp' as used, etc."*

Mr. HARDY (India) pointed out that the arrangement of sections and paragraphs in the two documents was not uniform. In one case, the paragraphs were given numbers and the sub-paragraphs letters, while, in the other case, the opposite procedure was followed.

*The Committee decided to ask the Sub-Committee to make the two documents uniform in this respect.*

*The form, as amended, was adopted.*

**1014. Research Work with a view to the Discovery of Non-habit-forming Medicaments : Recommendation X of the Limitation Conference.**

M. FERRI (Italy) referred to Recommendation X of the Limitation Conference, which provided for research work for the purpose of discovering medicaments which, although producing the same therapeutic effects as drugs, did not give rise to drug addiction. He had received information that, as a result of a discovery, the author of which was, it appeared, Dr. Monaelesser, of New York, tests had been made which had definitely established the very marked analgesic powers of cobra venom. Its application would make it possible not only to abolish the use of morphine for the treatment of cancer, but to relieve pain more rapidly than could be done with morphine.

In that connection, the Italian representative recalled the communications made in July 1933 to the Académie des Sciences by the late Dr. Calmette, both on his own behalf and on behalf of Dr. Saenz and Dr. Costil, and to the Paris Academy of Medicine by Professor Laignel-Lavastine. M. Ferri also mentioned that the snake farm where the venom was collected received assistance from the British authorities in India, and particularly from Colonel S. Sokhay, Director of the Haffkin Institute at Bombay.

The Italian representative had applied to a member of the Pasteur Institute for further information, and had learned that information was being received which showed that cobra venom was effective in certain cases of cancer, and relieved pain in 70 per cent of the cases, even when morphine was ineffective.

He pointed out that interest in this subject was not limited to scientific circles, and referred to a recent article appearing in the *Illustration* on the research work of the Pasteur Institute.

He thought the Committee should have more extensive information on this subject at its next session. The Secretariat might communicate with the scientific institutes in order to obtain further information and should possibly bring the matter to the notice of the Health Committee. He promised to submit the documents in his possession to the Secretariat.

M BOURGOIS (France) supported the suggestion that the Health Committee be requested to supply information on the subject.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) thanked M. Ferri for his promise to supply the documents in his possession, and said he would place the subject before the Agenda Sub-Committee.

**1015 Enquiry into the System of Import Certificates and Export Authorisations (Document O.C.1535 and Series).**

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) referred to the voluminous material at the disposal of the Committee, but suggested that, in view of the short time available, this subject might be postponed till the next session, when a single comprehensive document would have been prepared.

*M Ekstrand's proposal was adopted.*

**1016. Absence of Mr. Lyall from the Session.**

Dr. Hoo Chi-Tsai said that he was sure the entire Committee regretted Mr. Lyall's absence. He suggested that the Chairman should address a letter to Mr. Lyall expressing the Committee's regret at his absence and its hopes for his speedy recovery.

*Dr. Hoo's proposal was adopted.*

(The Committee went into private session.)

**1017. Budget Estimates for the Opium Section for 1935.**

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) referred to Document O.C./Confidential/8 containing the estimates for 1935. This budget had been adopted by the last Assembly and was therefore merely submitted for the information of the Committee.

**1018. Date of the Next Session.**

*The Committee decided* that the Sub-Committee on Seizures should meet on Wednesday, May 15th, 1935, and that the Advisory Committee should meet on the following Monday, May 20th, for a session of fifteen days.

**1019. Letter to Sir John Campbell on the Occasion of his Retirement.**

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) submitted a draft letter expressing the Committee's regret at Sir John Campbell's retirement.

*The draft letter was adopted.*



## FIFTEENTH MEETING (PUBLIC).

*Held on Monday, November 26th, 1934, at 3.30 p.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Bolivia, Germany, Italy, Sweden, Switzerland, Uruguay, and Mr. Lyall, Assessor.

### 1020. Adoption of the Minutes of the First Eight Meetings of the Session.

*The Committee approved the Minutes of the first eight meetings, subject to the inclusion therein of certain amendments submitted by the members of the Committee and accepted by the Committee.<sup>1</sup>*

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## SIXTEENTH MEETING (PUBLIC, THEN PRIVATE).

*Held on Tuesday, November 27th, 1934, at 5 p.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Bolivia, Egypt, France, Germany, Italy, Sweden, Switzerland and Uruguay, and Mr. Lyall, Assessor.

### 1021. Adoption of the Minutes of the Ninth to Twelfth Meetings inclusive.

*The Committee approved the Minutes of the ninth to twelfth meetings inclusive, subject to the inclusion therein of certain amendments submitted by the members of the Committee and accepted by the Committee.<sup>1</sup>*

(The Committee went into private session.)

### 1022. Responsibility of Exporting Countries in respect of Import Licences : Application of Article 14 of the Limitation Convention (continuation).

*Note.*—The Committee decided at its eighteenth meeting that the record of the discussion on this question should not be included in the printed edition of the Minutes of the Nineteenth Session.

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## SEVENTEENTH MEETING (PUBLIC).

*Held on Wednesday, November 28th, 1934, at 10.30 a.m.*

*Chairman : Dr. SCHULTZ (Austria).*

Present : All the members, except the representatives of Bolivia, Egypt, Germany, Italy, Portugal, Sweden, Switzerland, Uruguay, and Mr. Lyall, Assessor.

### 1023. Consideration of the Draft Report to the Council (document O.C.1581).

The draft report was read paragraph by paragraph, comments or alterations being made in connection with the following points.

#### INTRODUCTION.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) suggested the insertion in the Introduction of a reference to the presence at the nineteenth session of the representatives of Bulgaria and Hungary.

*M. Ekstrand's proposal was adopted.*

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<sup>1</sup> *Note by the Secretariat.*—The corrections submitted at the present meeting have been duly inserted in the relevant Minutes.



## RATIFICATION OF CONVENTIONS.

The opening phrase of the fourth paragraph of this section, reading : " The Japanese Government intimated that it was prepared . . . . ", was modified to read as follows : " The Japanese representative intimated that the Japanese Government . . . . ".

Further, the second sentence of the same paragraph, reading : " The representative of India stated that the Bangkok Agreement would be submitted to the procedure of legislative ratification next February ", was modified to read as follows : " . . . . stated that the Government of Burma intended to bring a Bill or a resolution before the Legislative Council of Burma in February in order to enable the Government of India to ratify the Agreement ".

In the next paragraph, the word " signatories " was substituted for " signatory Parties " and " High Contracting Parties ".

In reply to a query by the United States representative, M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) explained that no mention was made of the Hague Convention in this section, because there had been no changes as regards ratifications.

## II. ILLICIT TRAFFIC.

### *Introduction.*

After an exchange of views, *the Committee agreed* that the report of the Seizures Sub-Committee referred to in this paragraph would be appended as an annex to the report to the Council.

Dr. Hoo Chi-Tsai (China) thought that, in view of the decision thus taken, reference should be made in the report to the Council of the Chairman of the Sub-Committee on Seizures.

*Dr. Hoo's proposal was adopted.*

### *Situation in China.*

*The Committee agreed* to insert the words " settlements and leased territories " after the word " concessions " in paragraph 2.

*The Committee decided* to omit the second sentence of the third paragraph, reading as follows : " The Chinese representative's statement is one of the most important which has been heard by the Committee since it has been set up ".

*The Committee decided* to insert in paragraph 6 (paragraph 7 of the final text) the words " with a view to abolition within a specific period ", after the word " restriction " in the first sentence of the paragraph.

In the same paragraph of the draft report (paragraph 8 of the final text), the phrase : " In the other provinces where the poppy was cultivated, the amount produced . . . . ", was amplified to read as follows : " In the other provinces, cultivation of the poppy remains prohibited in respect of districts where it does not exist. As to the districts where the poppy is cultivated, the amount produced . . . . ".

Dr. Hoo Chi-Tsai (China) asked for the insertion between the first and second sentences in the penultimate paragraph of this section of the draft report of the following sentence : " With reference to a remark made by the Siamese representative, the Chinese representative declared that he could not accept the view that the situation in China had any connection with the maintenance of the monopoly in Siam ". He also asked for the addition, after the words " monopoly proper " in the next sentence, of the phrase : " as it exists in certain other countries ".

Dr. Hoo Chi-Tsai asked also for the insertion in the same paragraph, before the last sentence beginning " Hence . . . . ", of a passage reading as follows : " As regards the question of revenue, the Chinese Government has proved, by its abolition of likin (transit tax), the yield of which amounted to at least seventy million Chinese dollars annually, that it is prepared to sacrifice a source of revenue when that sacrifice is called for in the national interest ".

M. BOURGOIS (France) was prepared to accept the amendment proposed by the Chinese representative, though he thought it might be pointed out, on the other side, that the abolition of likin had been coincident with an increase in the rates of Customs duties.

Dr. Hoo Chi-Tsai (China) said that his Government had naturally had to find some compensation for the loss of the revenue from likin.

M. CASARES (Spain) thought that the Committee's main concern was the disappearance of revenue earned from opium.

*The proposals made by Dr. Hoo were adopted.*

## III. POSITION IN REGARD TO THE SUPERVISION OF INDIAN HEMP AND DRUGS WITH AN INDIAN-HEMP BASE.

On Mr. Duncan HALL's (Secretariat) suggestion, *the Committee agreed* to replace the word " drugs " in this heading by " preparations ", and to append a footnote reading : " ' Indian hemp ' is used here as defined in the Geneva Convention ".

The Committee decided to prefix to paragraph 9, beginning "The situation in Egypt has not undergone . . .", the words "According to him", in order to emphasise that this paragraph was a reproduction of the Egyptian representative's remarks.

Mr. FULLER (United States of America), referring to the same paragraph, considered that the expression "marks which might be taken to indicate" would better represent the sense of Baker Bey's statement than the words "marks such as would seem to indicate". The Committee would recollect Russell Pasha's statement at a previous session that, in several cases of seizures, the hashish bore Turkish labels which did not necessarily prove Turkish origin of the hashish.

Cemal HÜSNÜ Bey (Turkey) appreciated the evident desire of the United States representative to attenuate the statement made in the sentence under discussion, and also the drafting correction made at the beginning of the sentence in order to emphasise the *ex parte* nature of the whole statement. He much regretted that he had been unable to attend the meeting at which the Egyptian report had been discussed and regretted also that the Egyptian representative was absent from the present meeting. Even as attenuated, the remark in the first sentence of paragraph 9 was unacceptable to him, and he objected to the innuendo implicit in the expression "other countries where Indian hemp is known to be cultivated illicitly" in paragraph 10.

Turkey, he would point out, had adopted very drastic measures to combat illicit traffic in all narcotic drugs including Indian hemp. A Law of June 12th, 1933, prohibited the cultivation of hemp throughout Turkey and any persons caught smuggling the drug were fined ₺1 (= 2.50 Swiss francs) per gramme, besides being liable to one to five years' imprisonment. In such circumstances, he could not agree to the good faith of the Turkish Government being impugned in any way. If the passage he complained of were to remain in the report, he would have to ask for his statement to be inserted *in extenso* in the Minutes of the present meeting.

He failed to understand how the fact of seized hashish being labelled "Finest Broussa quality" or "Istambul Broussa extrafine" (page 55 of the annual report for 1933 of the Egyptian Government) justified the conclusion that the hashish smuggled into Egypt was necessarily of Turkish origin. Such inferences, he thought, were an unwarranted reflection on the efficacy of the measures referred to above taken by the Turkish Government. If concrete cases could be cited with more reliable evidence than that furnished by labels of seizures of drugs of Turkish origin, his Government would gladly investigate the matter and, if necessary, strengthen the existing legislation. He hoped that the Egyptian authorities would, in future, refrain from making accusations based on such unsubstantial evidence, and thought they could safely rely on the other Governments represented on the Committee to second their efforts to combat illicit traffic.

The CHAIRMAN, in view of the absence of the Egyptian representative and of the fact that the discussion on this question had already terminated, suggested adjourning the decision on the Turkish representative's statement until the afternoon meeting.

Cemal HÜSNÜ Bey (Turkey) pointed out that, as the Egyptian representative's statement was reproduced in the draft report without any express endorsement from the Committee, there should be no objection to his own statement being given equal publicity. In view of the extremely vague form in which the allusions to which he objected were made, they could not be described as an accusation. He must insist on the explanatory statement he had just made of his Government's views being given equal prominence.

After a short exchange of views, M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) announced that he had arranged with the Turkish representative, subject to the Rapporteur's approval, that the objectionable phrase would be re-drafted to read "such as would seem to indicate another origin". The statement made by the Turkish representative would appear in the Minutes of the present meeting.

Cemal HÜSNÜ Bey (Turkey) acknowledged the efforts made to meet his objections and thought the corrections suggested would meet with the approval of the Egyptian representative also. He would like to have inserted in the Minutes of the meeting at which the Egyptian representative's original statement was made a cross-reference to his statement as recorded in the Minutes of the present meeting.

The Committee decided to consider the final text of this section of the report at the next meeting.

Mr. HARDY (India) desired to modify the following passage in paragraph 13 :

"India was not a country exporting drugs with an Indian-hemp basis. Export was governed by the import-certificate system for which the Convention of 1925 (to which India was a party) provided ; and, in fact, the only exports consisted of small quantities of ganja sent to Trinidad, Demerara and Mauritius. As regarded charas, its export from Bombay was now prohibited, and all the charas in India was under the control of the Punjab Government, so that authority would have to be obtained from the latter in order to export it. As regarded imports, India imported large quantities of charas from Central Asia, and it would be very difficult for the Government of India to apply drastic control on account of the nature of the frontier between India and Chinese Turkestan."

He proposed the following text :

"Export of Indian hemp was governed by the import certificate system for which the Convention of 1925 (to which India was a party) provided ; and, in fact, the only appreciable exports consisted of Indian hemp supplied to the United Kingdom for the purpose of manufacture into galenical preparations and to certain territories with large Indian populations. All the resin used in India is imported from Central Asia and comes under the control of the Punjab Government, from whom the other Indian provinces and States obtain supplies under an import-certificate system. There is no export of resin from India. As regards imports of resin from Central Asia, the Government of India would find it difficult to apply any more drastic control, owing to the nature of the frontier. Effective control by the Government of Chinese Turkestan would be a *sine quâ non*."

*The text proposed by Mr. Hardy was adopted.*

The Committee agreed to redraft the last sentence of paragraph 14 of this section, which in the draft report read as follows : "It would therefore be an unfortunate time to ask the Government of India to introduce a change of policy, when the whole tendency was to give greater powers and responsibilities in this matter to the local Governments".

The text adopted read as follows : "It would therefore be an inappropriate time to ask the Government of India to press for a change of policy in respect of a matter that was already within the competence of the provincial Governments".

Referring to paragraph 15, M. VAN WETTUM (Netherlands) proposed to modify the last phrase in the first sentence reading "... of the apparent inadequacy of the supervision provided under the International Conventions in the case of this plant and its products", to read as follows : "... of the apparent inadequacy of the supervision exercised over Indian hemp and its preparations". He pointed out that the difficulty was not the defective provisions of the International Conventions, but the failure of certain countries to enforce their own legislation.

*The proposal of M. van Wettum was adopted.*

Dr. CHODZKO (Poland) suggested the insertion, at the end of the first sentence of the last paragraph in this section, of a passage reading as follows : "The Sub-Committee might appeal in the course of its investigation for the co-operation of experts, doctors and others who are duly qualified in the matter of Indian hemp and who have had local experience either in Africa, or in Asia or in America".

In the next sentence, he proposed that the words "bibliographical analysis" be replaced by "bibliography", and that the words "... publishing at some future date a memorandum on Indian hemp ..." be substituted for the words "... of instructing some expert with special knowledge of the Indian-hemp problem to make a general study ...".

*The proposals of Dr. Chodzko were adopted.*

#### IV. PREPARATIONS FOR A CONFERENCE TO CONSIDER THE POSSIBILITY OF LIMITING AND CONTROLLING THE CULTIVATION OF THE OPIUM POPPY AND THE CULTIVATION AND HARVESTING OF THE COCA LEAF.

With reference to the "additional information" referred to in the last paragraph of this section, M. KUSAMA (Japan) suggested adding the explanation given by the Secretariat in reply to the original query of M. van Wettum on this subject.

*The following text was adopted : "... to ask for any additional information in case a Government has omitted to supply some of the particulars asked for in the questionnaire".*

*The continuation of the discussion was adjourned to the next meeting.*

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### EIGHTEENTH MEETING (PUBLIC).

*Held on Wednesday, November 28th, 1934, at 3.30 p.m.*

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*Chairman : Dr. SCHULTZ (Austria).*

*Present : All the members, except the representatives of Belgium, Bolivia, Egypt, Germany, Italy, Portugal, Spain, Sweden, Switzerland and Uruguay, and Mr. Lyall, Assessor.*

1024: Consideration of the Draft Report to the Council (continuation) (document O.C. 1581).

V. EXAMINATION OF THE STATEMENT OF ESTIMATES OF REQUIREMENTS OF NARCOTIC DRUGS FOR 1935 DRAWN UP BY THE SUPERVISORY BODY.

Mr. Duncan HALL (Secretariat) suggested that the title should be brought into line with the title of the document issued by the Supervisory Body.

*Mr. Duncan Hall's proposal was adopted.*

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said there were a number of slips in the English translation. If the French text were adopted, he presumed that the Secretariat should be authorised to bring the English text into line.

*M. Ekstrand's proposal was adopted.*

M. BOURGOIS (France), Rapporteur, recalled that, at the thirteenth meeting, it had been decided, on M. Casares' proposal, to insert in the report the actual text of the statement by the Supervisory Body regarding the delay in submitting estimates. This text would be included in the final report.

QUESTION OF CODEINE.

On the Chairman's proposal, it was decided to change the heading to "Questions relating to Codeine", and to give this section the numeral VI and to change accordingly the numerals of subsequent sections.

Colonel SHARMAN (Canada) suggested that the word "consumption" in the phrase "figure given for the consumption in Canada", in the first paragraph, should be altered to "requirements". He explained that the figure in question included the reserve stocks. The expression "existing Canadian legislation", at the beginning of the last sentence in the same paragraph (paragraph 3 in the final text), should be altered to "existing Canadian Federal legislation".

Mr. Duncan HALL (Secretariat) thought that the amount mentioned referred to consumption as such and did not include stocks. He would verify this fact and suggested that, if his assumption were correct, the expression to be used should be "estimated consumption". He added that the consumption figure for Australia was 4 kg. per million inhabitants and not 3 kg.

Mr. FULLER (United States of America) suggested that the word "various" should be omitted from the beginning of the third paragraph (paragraph 4 in the final text) and that the words "accepted opinion" should be replaced by the words "opinion hitherto generally held".

Dr. CRODZKO (Poland) said the enquiry into possible addiction to codeine had been proposed, not only by the Swiss representative, but also by himself, and he would like his name to be added to that of Dr. Carrière.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) pointed out that the text of the resolution which closed this section should conclude by a request to the Health Committee to communicate the result of the enquiry as soon as possible to the Advisory Committee.

*The Committee adopted the above amendments.*

SECTION VI. QUESTIONS ARISING OUT OF THE CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS.

(a) *Application of Article 10 of the Limitation Convention: Export and Import of Diacetylmorphine.*

Mr. FULLER (United States of America) suggested that, in the last sentence of the first paragraph, the phrase "... a request for import, to be valid, must be made by the United States of America ...", should be amended to read: "... a request for import must be made by the Government of the Philippine Islands". The words "United States Government", at the end of the same paragraph, should be altered to "the Philippine Government".

*Mr. Fuller's proposals were adopted.*

(b) *Notification in conformity with Article 11 of the Limitation Convention of the Manufacture of a New Drug, Delcaine, Hydrochloride of Dextro-rotatory Pseudo-cocaine.*

M. VAN WETTUM (Netherlands) desired to replace the following passage:

"This notification engaged the Committee's special attention by reason of the two problems that it raises, a technical problem which was submitted to the Health Committee for decision, and a legal problem, since delcaine, hydrochloride of dextro-rotatory pseudo-

cocaine, is a new substance : the other salt of pseudo-cocaine, psicaine—that is to say, the tartrate—existed on the market previous to the 1931 Convention, and consequently Article 11 of the said Convention did not apply to it ; the question would appear to arise, then, whether this article can apply only to one of the salts of the same basic alkaloid.

"The Committee heard the opinion of the Swiss representative, a member of the Health Committee, and of the Assessor to the Committee, who took part in the framing of the list of substances covered by the 1931 Convention ; according to them, the authors of the 1925 Convention and of the 1931 Convention had in mind only sinistro-rotatory derivatives of ecgonine, which are alone convertible into narcotics, and not dextro-rotatory derivatives of ecgonine. Several other members of the Committee endorsed this interpretation."

by a new text, reading as follows :

"The Committee heard the opinion of several of its members who took part in the framing of the list of substances covered by the 1931 Convention ; according to them, the authors of the 1925 Convention and of the 1931 Convention had in mind only levo-rotatory derivatives of ecgonine, and not dextro-rotatory derivatives of ecgonine, which, in their judgment, are not covered by Article 11 of the Limitation Convention."

*The text proposed by M. van Wellum was adopted.*

(c) *Disposal of Confiscated Drugs.*

Mr. FULLER (United States of America) suggested that, in paragraph 2, the wording  
" . . . confiscated drugs are simply destroyed . . . " should be modified to read  
" . . . confiscated drugs are either destroyed or placed in Government stocks ".

Mr. Duncan HALL (Secretariat) suggested replacing by a new text (see fourth and fifth paragraphs) of this sub-section, of which the original text read as follows :

"An analysis of that article, which must be interpreted by reference to Article 7 of the Convention, led the Committee to adopt the following conclusions :

"As regards exports and re-exports, there is no possible doubt if the discussions in the 1931 Conference, at which such an hypothesis was not contemplated, or the actual text of Article 18 are referred to. This article provides for certain possibilities, but not for the contingency of export, which indeed appears to be explicitly excluded by reason of the fact that the drugs must remain under Government control. On the other hand, it may be maintained that the expression 'under Government control' should not be interpreted in too restrictive a sense : it seems that drugs can be utilised in the country, since control still exists in this case, and such utilisation appears to be provided for in Article 7, which contemplates the deduction of the quantity of which manufacture is authorised from 'any amounts of the drug seized and utilised as such for domestic consumption or for conversion', such conversion referring essentially to conversion into 'drugs' of Group II."

The new text proposed by Mr. Duncan Hall was as follows :

"The possibility of export and re-export under this article seems to be ruled out, not only because the records of the 1931 Conference seem to show that this possibility was not contemplated, but also by virtue of the wording of the article itself. This article provides for certain possibilities, but not for the contingency of export, which indeed appears to be explicitly excluded by reason of the fact that the drugs must remain under Government control. It should, however, be pointed out that the Committee was not unanimous on this point.

"With regard to the meaning of the words 'or under its control', in the phrase 'appropriated for medical or scientific use, either by the Governments or under its control', it may be maintained that these words should not be interpreted in too restrictive a sense. It seems that drugs can be utilised in the country for domestic consumption, since control still exists in this case, and such utilisation appears to be covered by the words in Article 7 : 'any amounts of the drug seized and utilised as such for domestic consumption or for conversion'. The conversion referred to in this article and in Article 18 should be taken as referring essentially to conversion into 'drugs' of Group II."

*The above amendments were adopted.*

(d) *Manufacture and Export of Narcotic Drugs : Extension of Manufacture to New Manufacturing Countries.*

Mr. Duncan HALL (Secretariat) suggested inserting a new paragraph before the last paragraph of this sub-section. The text proposed was as follows :

"The Netherlands representative pointed out that the danger from factories in new manufacturing countries was that the latter had no experience of the difficulties and pitfalls involved in the control over such factories and were liable to have to pay dearly for such experience."

*The text proposed by Mr. Duncan Hall was adopted.*

(e) *Form of Annual Reports for the Use of Governments to be drawn up in accordance with Article 21 of the 1931 Limitation Convention.*

Mr. FULLER (United States of America) suggested that the words "in accordance with Article 21 of the Convention" should be omitted throughout this sub-section.

*Mr. Fuller's proposal was adopted.*

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) suggested that the words "letter of reminder" at the end of this sub-section should be amended to read "letter reminding them of their obligations in this respect".

*M. Ekstrand's proposal was adopted.*

SECTION VII (Section VIII in the final text). PROCESS EMPLOYED BY THE FACTORY OF THE "ALKALOIDA" COMPANY, LTD., AT BÜDSZENTMIHÁLY, HUNGARY, TO EXTRACT MORPHINE AND OTHER OPIUM ALKALOIDS DIRECT FROM THE DRY POPPY PLANT.

Mr. FULLER (United States of America) proposed to insert the words "through the Permanent Central Opium Board" in paragraph 2, after the words "in a position regularly to inform the Committee".

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) said that the Opium Board received annual statistical reports but that the report which the Hungarian Government proposed to send was a special monthly report regarding the manufacture of morphine in the "Alkaloida" factory. The Hungarian offer went much further than the obligation to supply annual statistics.

Mr. FULLER (United States of America) had understood that the offer made by the Hungarian Government was to furnish statistics to the Opium Board and not to the Committee.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections) read extracts from document O.C.1548 which showed that the Hungarian Government had offered to supply the information to the Advisory Committee in order to help it to follow the work carried on in the new factory.

Mr. FULLER (United States of America) withdrew his proposal.

On the proposal of Mr. Fuller, the Committee agreed to omit paragraph 3 of this Section reading as follows :

"In this way, the Hungarian Government will place the League of Nations in a particularly favourable position to exercise international control over manufacture by this process."

The last sentence of paragraph 4 of the draft report, reading as follows : "The discussion showed that, under Articles 16 and 17 of the Limitation Convention, control can be exercised over raw material at the factory", was replaced by the following text :

"The discussions appeared to show that, under Articles 16 and 17 of the Limitation Convention, control must be exercised over this raw material in the possession of the manufacturers. The full discussion of this question was postponed until next session."

SECTION IX (Section X in the final text). EXPORT AND IMPORT OF DROSS FOR THE MANUFACTURE OF NARCOTICS.

Phya Subarn SOMPATI (Siam) wished to add, at the beginning of paragraph 3, a new sentence, reading as follows : "The Siamese representative pointed out that, up to the present, his Government was the only one that had dealt successfully with the collection of dross from the opium smoked".

*The Committee approved the above text.*

M. KUSAMA (Japan) observed that the Japanese view was not reproduced in the report. He therefore suggested the insertion of the following paragraph after paragraph 3 : "The Japanese representative supported the point of view expressed by the Siamese representative, stating that the proposal of the Siamese Government should be considered in the light of the new situation developed out of the system instituted in Siam in regard to the control of opium-smoking".

M. YOKOYAMA (Japan) said that the Japanese delegation wished this passage to be inserted in order to make it clear that the country which had voted in favour of the Siamese proposal was Japan. In order to avoid any misunderstanding, he wished to state that Japan was not interested in the subject in practice but only in theory. It had no intention of purchasing any of the dross.

*The text proposed by M. Kusama was adopted.*

*The Committee decided to replace the first sentence of paragraph 4 of this section, which originally read as follows :*

*" This view was questioned by several members of the Committee, and more especially by the representative of the United States of America, who maintained that the prohibitions set out in the Hague Convention and the Geneva Agreement were clear and categorical and that, whatever might be the construction placed on Article XI of the Geneva Agreement, the Hague Convention, which had been ratified by fifty-eight nations, remained the fundamental charter in these matters."*

by the following text :

*" Several members of the Committee, more especially the representative of the United States of America, pointed out that the prohibitions set out in the Hague Convention were clear and categorical and that no interpretation of the Geneva Agreement could in any way detract, in so far as the signatories were concerned, from the obligations which they have assumed as parties to the Hague Convention towards the other parties to that Convention."*

Phya Subarn SOMPATI (Siam) asked if the judgment expressed in this text was supported by the Minutes.

M. BOURGOIS (France), Rapporteur, replied in the affirmative.

M. VAN WETTUM (Netherlands) suggested omitting the words " and Geneva Agreement " in the last paragraph of this section.

Phya Subarn SOMPATI (Siam) pointed out that the Committee's decision had referred both to the Hague Convention and to the Geneva Agreement.

M. VAN WETTUM (Netherlands) withdrew his proposal.

#### SECTION X (Section XI in the final text). VARIOUS QUESTIONS.

##### (b) *Preparation of a Scheme for the Study of Existing Legislation with a view to the Application of the Conventions.*

*The Committee decided to insert, at the end of the second paragraph, the sentence : " The Spanish representative emphasised the value of this proposal ".*

Mr. HARDY (India) suggested that the title should be amended to read " . . . Application of the Conventions of Geneva and The Hague ", in order to bring it into line with the text of the first paragraph.

Dr. CHODZKO (Poland) said this text did not make it clear how many Geneva Conventions were referred to. He therefore suggested the wording : " Conventions and Agreements concerning the Traffic in Dangerous Drugs ".

*The text proposed by Dr. Chodzko was adopted.*

##### (c) *Research Work with a view to the Discovery of Non-habit-forming Medicaments.*

Mr. HARDY (India) pointed out that the Italian representative had also referred to the research work carried out at the Haffkin Institute at Bombay.

*The Committee decided to insert a reference to this Institute in the text.*

*The Committee adopted the report to the Council as a whole with the above changes and additions and a number of minor and drafting amendments.*

*The Committee decided to annex to the report the following documents :*

1. List of Ratifications and Accessions to the Opium Conventions and Agreements.
2. Form of Annual Reports for the Use of Governments.
3. Report of the Permanent Sub-Committee on the Application of Chapter IV of the Hague Convention.
4. Document O.C.S.212, on the position in North China in regard to the illicit traffic in opium and other narcotics.
5. Report by the Sub-Committee on Seizures.

#### 1025. Adoption of the Minutes of the Thirteenth and Fourteenth Meetings.

*The Committee approved the Minutes of the thirteenth and fourteenth meetings, subject to the inclusion therein of certain amendments submitted by the members of the Committee and accepted by the Committee.<sup>1</sup>*

#### 1026. Question of Printing the Minutes of Private Meetings.

*The Committee decided that the Minutes of private meetings should not be printed.*

<sup>1</sup> Note by the Secretariat.—The corrections submitted at the present meeting have been duly inserted in the relevant Minute

1027. Closing Speech by the Chairman.

The CHAIRMAN, before closing the nineteenth session, desired to review the results obtained.

In the first place, he would mention the Committee's appeal to the Governments to assist the Supervisory Body in its task of preparing estimates of their requirements of drugs. He would also mention the Committee's attitude towards the extension of manufacture to new countries and the recommendation in favour of a restriction in the number of factories.

Another important recommendation adopted by the Committee referred to the disposal of seized drugs in accordance with Article 18 of the 1931 Convention.

At its present session, the Committee had concluded its difficult work in connection with a new form of annual reports.

The great problem of Indian hemp had been thoroughly discussed. After receiving further valuable information in addition to the documentary material already existing, the Committee had been in a position to organise its work in this sphere on a systematic basis by creating a special organ for studying the Indian-hemp problem.

Steps had been taken to obtain the necessary information as to whether codeine was a habit-forming drug and also on the utilisation of cobra venom for relieving pain.

The difficult question of passports had been examined and a further recommendation adopted, drawing the attention of the Governments to certain aspects of this question. Moreover, in accordance with the resolution adopted by the fifteenth Assembly regarding police organisation for combating the clandestine manufacture and illicit traffic in drugs, the Committee had laid down the procedure for obtaining the necessary information.

An Agenda Sub-Committee had been appointed with a view to accelerating the work of the Committee.

The Chairman thought these results showed definite progress in the work entrusted to the Committee. It was a matter of satisfaction for the Committee that, thanks to the goodwill of the Governments, the great work of the League of Nations in the campaign against the abuse of drugs was continuing to bear fruit. He noted with pleasure that the number of Governments which had ratified or adhered to the Conventions regarding opium and other dangerous drugs continued to increase, so that there were at present no less than fifty-two countries parties to the Geneva Convention of 1925 and forty-eight countries parties to the 1931 Convention. There had also been an increase in the number of ratifications of the Bangkok Agreement. He also reminded the Committee of the energetic and effective manner in which the French Government was continuing to suppress Indian hemp in Syria and Lebanon and the successful efforts of the Bulgarian Government in the suppression of the clandestine manufacture of drugs. The Committee had also learnt of the energetic and even draconian measures adopted by the Chinese Government with a view to suppressing the abuse of manufactured drugs. He hoped these measures would prove entirely successful.

As regards the illicit traffic, the Committee had again had an opportunity of noting the good results obtained from the close co-operation between the police authorities of various countries.

In view of these achievements, the Committee could confidently continue its work, the main future stages of which were represented by an international Convention for the Suppression of the Illicit Traffic and a Conference for examining the possibility of limiting and controlling the cultivation of the opium poppy and of the coca leaf.

In conclusion, he expressed his thanks to the members of the Committee and the Secretariat for their assistance.

M. VAN WETTUM (Netherlands) thanked the Chairman for the manner in which he had presided over the Committee's deliberations.

The CHAIRMAN pronounced the nineteenth session of the Committee closed.



ANNEX 1.

O.C.1567(1).

Geneva, November 13th, 1934.

AGENDA OF THE NINETEENTH SESSION.

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- I. Adoption of Agenda.
  - II. Question of the Appointment of an Agenda Sub-Committee : Proposal by the Representative of the United Kingdom (see documents O.C./Confidential/6, 6(a) and 6(b)).
  - III. Appointment of a Rapporteur.
  - IV. Consideration of the Secretary's Progress Report (document O.C.1574).
  - V. Questions arising out of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs.  
Form of Annual Reports by Governments to be drawn up in accordance with Article 21 of the Convention (documents O.C.1501(2), (3) and (4)).
  - VI. Recommendations contained in the Final Act of the Bangkok Conference, except Recommendation X regarding Scientific Research (see Progress Report, Eighteenth Session, under III, 3; document O.C.1537 printed as Annex 2 to the Minutes of the Eighteenth Session (document C.317.M.142.1934.XI, page 91).
  - VII. Preparatory Work for a Conference to consider the Possibility of limiting and controlling the Cultivation of the Opium Poppy and the Cultivation and Harvesting of the Coca Leaf.  
Raw Opium : Situation in Producing, Manufacturing and Opium-smoking Countries (document O.C.1554; see also Progress Report, document O.C.1574).
  - VIII. Manufacture and Export of Drugs : Present Position in the Manufacturing Countries (document O.C.1550).
  - IX. Hungarian Method for Extraction of Morphine from the Dried Poppy Plant (documents O.C.1546(1) and O.C.1546(1)(a)).
  - X. Illicit Traffic : Consideration of the Report of the Sub-Committee on Seizures (document O.C.S./Confidential/27; also documents O.C.294(t) and O.C.294(u)).
  - XI. Situation in Bulgaria (document O.C.S./Confidential/24).
  - XII. Situation in the Far East :
    - (a) General Situation in China;
    - (b) Application of Chapter IV of the Hague Convention : Collaboration between China and Treaty Powers (documents O.C.1569 and 1569(a)).
  - XIII. Enquiry into Import-certificate and Export-authorisation Systems (document O.C.1535 and series).
  - XIV. Situation as regards Control of Indian Hemp and Indian-hemp drugs (documents O.C.1542 and erratum; O.C.1542(a), (b) and (c)).
  - XV. Extradition : Progress made in Recent Extradition Treaties (document O.C.1552).
  - XVI. Export and Import of Dross for the Manufacture of Narcotic Drugs : Item proposed by the Representative of Siam (document O.C.1568 and erratum).
  - XVII. Specialised Police Services for the Suppression of the Illicit Traffic : Resolution adopted by the Fifteenth Assembly (document O.C.1573).
  - XVIII. Other Questions.
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ANNEX 2.

O.C.1574.

Geneva, November 14th, 1934.

PROGRESS REPORT BY THE SECRETARY.

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In accordance with the procedure established for the progress report on the autumn session, the present report does not contain an analysis of the replies to the circular letters sent to Governments, which is made during the spring session. Its sole object is to indicate new developments which have occurred in regard to certain questions since the Committee's last session—particularly as the outcome of the discussions in the Fifth Committee of the Assembly—in so far as those questions are not dealt with in separate documents.

## I. RATIFICATION OF CONVENTIONS.

Since the Committee's last session, Austria has ratified the 1931 Limitation Convention, and Norway and Honduras have acceded to it. This brings up the number of States parties to the Convention to forty-eight. The Greek delegation also informed the Secretariat during the last Assembly that the Convention had been ratified by the Greek Parliament and that the deposit of the instruments of ratification would take place shortly.<sup>1</sup>

Honduras and Ecuador have likewise acceded to the 1925 Geneva Convention, the number of States parties to that Convention now being fifty-two.

As regards the ratification of the 1931 Bangkok Agreement, there has been no change since the last session of the Advisory Committee. The Agreement has been ratified by four of the Governments (United Kingdom, France, Netherlands, Portugal).<sup>2</sup>

The Advisory Committee will remember that, in accordance with Article VI, the Agreement will not come into force until it has been ratified by all the contracting parties (United Kingdom, France, India, Japan, Netherlands, Portugal, Siam).

## II. APPLICATION OF THE 1931 CONVENTION FOR LIMITING THE MANUFACTURE AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS.

### (a) WORK OF THE SUPERVISORY BODY.

On the basis of the estimates supplied by Governments of their requirements of narcotic drugs in their respective territories for 1935 and the estimates prepared by it for territories which had not already supplied them, the Supervisory Body completed on October 16th, 1934, the statement of estimates of world requirements of narcotic drugs for 1935. This has been communicated to Governments on November 1st, 1934, and will be published on December 15th, 1934.

In the case of the more important drugs, the statement indicates a general tendency towards a reduction in the totals, which is particularly marked in the case of diacetylmorphine.

Estimates were supplied by fifty-four sovereign States, including States not parties to the Convention, and ninety-nine colonies, protectorates, oversea territories and territories under suzerainty or mandate.

Estimates were prepared by the Supervisory Body for fifteen sovereign States and nine territories which had failed to send them in. There are also estimates for four countries and nine territories included in those of other countries or territories.

In all, the Supervisory Body dealt with estimates for seventy-three countries and 117 territories mentioned in the 1935 statement.

The Supervisory Body laid stress on the difficulties that had arisen in providing for the universal application of the system of estimates, which the Assembly has described as the only piece of international machinery as yet set up by the League which is truly universal, applying as it does to every State and every separate administrative unit in the world. The Convention allows only three months for the preparation of the statement containing estimates for all countries and territories for the following year. It is therefore very important that Governments should send them in on, or if possible even before, the date fixed by the Convention—i.e., August 1st. This year, fifty-three estimates had been supplied out of a total of 188 by the date stipulated in the Convention. Last year, only twelve had been received by that date.

In preparing estimates for countries and territories for which none had been supplied, the Supervisory Body has made every effort to safeguard their legitimate requirements, taking account of all available statistical information. When those data were inadequate, the Supervisory Body took into consideration the number and character of the population, the development of medical practice and all other relevant matters.

When examining the estimates for 1935, the Supervisory Body decided to ask for additional information or explanations from twenty-eight countries and thirteen territories.

As a result of these enquiries, certain Governments found it possible to reduce their estimates considerably.

It may be added that, after the Body had published, in November 1933, its estimates for 1934, it received eighty-one supplementary estimates for the latter year. It dealt with these in accordance with Article 5 of the Convention. The Supervisory Body has arranged to study these estimates without delay in accordance with paragraph 8 of Article 5; in certain cases, however, the estimate was not accompanied by an explanation of the circumstances, in accordance with Article 3 of the Convention, so that the Supervisory Body was usually unable to examine the estimates. As these may be intended to meet an urgent situation, it is essential, in order to avoid any delay, that a full explanation of the circumstances should be supplied at the same time as the estimate.

<sup>1</sup> Since the report was drawn up, the Secretariat has been informed that Greece ratified the 1931 Convention on December 27th, 1934.

<sup>2</sup> The Government of Siam deposited its instrument of ratification of the Bangkok Agreement during the nineteenth session of the Advisory Committee.

(b) APPLICATION OF ARTICLE 14 OF THE CONVENTION : WORK OF THE PERMANENT CENTRAL BOARD.

The Permanent Central Opium Board informed the Supervisory Body that, during the current year, a number of cases had arisen in which Governments imported narcotics (usually in small quantities) which were not mentioned in their estimates for 1934. In some cases, the quantities imported were in excess of the estimates contained in the statement for 1934.

In such circumstances, the procedure laid down in Article 14 of the Convention becomes applicable and, as stated in the Central Board's report to the Council,<sup>1</sup> the Board went very carefully into the question of the proper method of applying the Convention. It has adopted a provisional system and hopes, in the light of the experience acquired, to be in a position to draw up a definitive procedure with the twofold desire of complying with its obligations and avoiding the creation of unnecessary difficulties for the national authorities.

It may be said at once that the kind of embargo provided for in Article 14 of the Convention, so far from remaining a dead letter, has already been applied on several occasions during the past year for the first time in the history of international law, as stated in the "Short Analysis of the System of Control set up by the Limitation Convention of 1931", which appears as an annex to the report submitted by the Fifth Committee to the Assembly (document A.51.1934.XI, page 11).

The Advisory Committee's attention is also drawn to the fact that the task of the Secretariat of the Supervisory Body is very extensive, since, for the preparation of the numerous documents relating to estimates, the Secretariat is obliged to deal in practice, not with a limited number of sovereign States, but with all separate administrative units in the world, which total 188.

(c) DIFFICULTIES REGARDING THE APPLICATION OF ARTICLE 10 OF THE LIMITATION CONVENTION.

An annex to the progress report (Appendix I) deals with difficulties which have arisen in connection with the application of Article 10 of the Limitation Convention—export and import of diacetylmorphine.

(d) NOTIFICATION UNDER ARTICLE 11 OF THE LIMITATION CONVENTION OF THE MANUFACTURE OF A NEW DRUG.

Questions arising in connection with the notification of the manufacture of a new drug, "delcaine", are dealt with in a second annex to the report (Appendix II). Reference is also made in this annex to a notification received from the Turkish Government of the manufacture in Turkey of a drug similar to pantopon.

### III. ILLICIT TRAFFIC.

(a) POSITION IN BULGARIA.

This question is dealt with in document O.C.S./Confidential/24, which has been communicated to the Advisory Committee.

(b) POSITION IN CHINA.

During the very full discussion which took place regarding the serious position in China, the Fifth Committee of the Assembly emphasised the importance which it attached to measures for remedying that situation by reproducing in its report<sup>2</sup> the full text of the two resolutions adopted by the Advisory Committee at its eighteenth session.

The Committee will doubtless note with interest certain important new aspects of the position in China, described during the discussion by the representative of China.

The Chinese Government has adopted internal measures covering both drugs and opium.

The measures regarding manufactured drugs are the strictest. Several regulations have been enacted, and the manufacture, transport and sale of manufactured drugs are now punished by very severe penalties, going so far as capital punishment. The injection of morphine or heroin into another person for non-medical purposes is also punishable by death. These measures have already been put into force. The law also prescribes the compulsory treatment of drug addicts in hospitals which have been opened for this purpose, and recalcitrant drug addicts are very severely punished, the maximum penalty being death. The Central Government's policy is to induce the provincial Governments to create hospitals of this kind throughout China. These laws must be applied ten days after receipt of the text of the regulations, which is an exceptionally short period for China.

<sup>1</sup> See document C.390 M 176.1934.XI.

<sup>2</sup> Document A.51.1934.XI.

As regards opium, the system in operation has undergone important modifications, the development of which will be followed by the Fifth Committee with the greatest interest. The Government judged that the consumption of opium must be authorised under certain conditions, owing to the menace constituted by drugs, but the regulations stipulate that, after a period of six years, no further licences will be granted. Henceforward, certain persons will be allowed to smoke opium, principally aged persons or inveterate smokers. The sale of opium to such persons is authorised, subject to a permit. The cultivation of the poppy is temporarily authorised in certain provinces, but its abolition is prescribed within certain periods varying from one to six years, according to the province. Inspectors will be sent to the different provinces to satisfy themselves of the execution of these laws.

As regards acid acetic anhydride and caffeine, the Fifth Committee expressed the hope that the Chinese Government would adopt the suggestion made at the Chinese representative's request by the National Commission for the Suppression of Opium in China—namely, that the system of import licences in force for dangerous drugs should be applied to those products; it also hoped that the Chinese Government would adopt its representative's suggestion that a special item should be introduced for these products in the Chinese Customs statistics.

The Chinese representative, in expressing his satisfaction at the increase in the close co-operation with certain Powers having concessions in China, insisted on the necessity for the collaboration of a certain Power, without whose assistance the efforts of the Chinese Government in its campaign against narcotic drugs would be in vain, and emphasised the difficulties encountered by China as a consequence of the inadequacy of the penalties applied to traffickers by that country.

#### (c) APPLICATION OF CHAPTER IV OF THE HAGUE CONVENTION.

The Committee will remember that, on January 20th, 1934, the Council, on the Committee's proposal, approved the despatch to the Chinese Government and, as regards the concessions, settlements and leased territories, to the Governments concerned of a questionnaire, preceded by an introduction, with a view to enabling the Chinese Government and the foreign authorities to supply more easily essential information regarding the provisions of the regulations in force in China and in the concessions, settlements and leased territories, the administrative methods employed and the difficulties encountered by the various authorities, the object being to facilitate their co-operation by the regular exchange of information (Appendix III of the Report to the Council on the Work of the Committee's Seventeenth Session, document C.642.M.305.1933.XI).

The Municipal Council of Shanghai replied by a communication dated July 19th, 1934; this is reproduced in document O.C.1569, which has been distributed to the Committee.

The United States Government replied by a communication dated October 15th, 1934, concerning the jurisdiction to which United States citizens in China are amenable; this communication was accompanied by legislative texts. It is reproduced in document O.C.1569(a).

The Japanese Government forwarded on November 12th, 1934, the replies concerning the Japanese concessions at Hankow and Tientsin.

#### (d) SPECIAL MEASURES AGAINST TRAFFICKERS.

After discussing the situation in China, the Fifth Committee reached the conclusion that it was necessary to apply stricter measures against traffickers, as this was one of the most effective means of putting an end to clandestine manufacture (see document A.51.1934.XI, page 7).

It will be remembered that, at its eighteenth session, the Advisory Committee, on the proposal of the Seizures Sub-Committee, decided to place this important question on the agenda of the present session (see Report of the Sub-Committee on Seizures, page 23, paragraph 9, of document C.256.M.105.1934.XI).

The Fifth Committee of the last Assembly was especially concerned in this connection at the facility with which notorious traffickers, among whom are experts on the manufacture of narcotics, obtain passports and visas permitting them to cross frontiers without hindrance, and to establish clandestine factories in countries where hitherto none had existed. The fact was emphasised that, if all countries, and particularly those which co-operate with China, prevented, *inter alia*, their chemists from going to China with a view to clandestine manufacture, the situation would be considerably improved.

The possibility of extending the system of bilateral conventions for the prosecution of traffickers between the countries directly concerned was emphasised by the representatives of Poland and Sweden on the Fifth Committee.

#### IV. DRAFT INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE ILLICIT TRAFFIC IN DANGEROUS DRUGS.

The Committee will note with interest that the fifteenth Assembly adopted a resolution designed to expedite the adoption of this draft Convention. The text of this resolution is as follows:

"The Assembly,

"Referring to the draft International Convention for the Suppression of the Illicit Traffic in Dangerous Drugs, transmitted to the Governments on July 16th, 1934, with a view to a second consultation (Circular Letter 120.1934.XI), in application of the

procedure laid down in the Assembly resolution of September 25th, 1931, for the conclusion of all general conventions to be negotiated under the auspices of the League of Nations ;

" Considering that, in conformity with that resolution, the results of the aforementioned second consultation, which is still in progress, should, in the ordinary course, be communicated to the Assembly, which would decide whether a convention should be concluded and, in that case, whether the draft should be submitted to a conference for which it would request the Council to fix a date ;

" Considering, moreover, that the aforementioned resolution of September 25th, 1931, expressly empowers the Assembly and the Council to adopt more appropriate methods when circumstances render this desirable ;

" Having regard to the necessity of facilitating the adoption of a draft, the urgency and importance of which have been emphasised by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs as well as by the Council and Assembly, and of not postponing the above-mentioned decision until the next session of the Assembly :

" Instructs the Council, for the reasons set out above, to decide, in the light of the results of the second consultation, whether a convention should be concluded and, in that case, whether the draft should be submitted to a conference for which the Council will fix a date."

The Secretariat is preparing the documentation which will permit the Council, at its January session, to decide on the further measures to be adopted, taking into account the replies received from Governments on the second consultation.

## V. POSITION IN REGARD TO INDIAN HEMP.

This question is dealt with in five separate documents : O.C.1542 (Preliminary Note on the Chief Aspects of the Problem of Indian Hemp and the Laws relating thereto in force in Certain Countries), O.C.1542(a) (Position in regard to Indian Hemp) (this document briefly summarises the previous one), O.C.1542(b) (communicating a summary of a new decree applicable to Syria and Lebanon) and O.C.1542(c) and addendum (containing the observations received from the members of the Committee on the two first-mentioned documents).

It need only be observed that, in its report to the Assembly, the Fifth Committee " was gratified to note that the Advisory Committee and the Secretariat are continuing the study of this question, and urges Governments to supply the Secretariat, for the use of the Committee, with all the necessary particulars, so that stricter supervision may be exercised over the trade in this plant and its products, and the evil may thus be remedied before it has grown too great and the difficulty of suppressing it has increased ".

## VI. PREPARATIONS FOR A CONFERENCE TO CONSIDER THE POSSIBILITY OF LIMITING AND CONTROLLING THE CULTIVATION OF THE OPIUM POPPY AND THE CULTIVATION AND HARVESTING OF THE COCA LEAF.

(Circular Letters 234.1933 XI and 229.1933.XI, dated December 19th, 1933.)

In accordance with the Advisory Committee's recommendation, approved by the Council, the Secretary-General on December 19th, 1933, transmitted a questionnaire on opium and another on the coca leaf to the Governments of States Members and non-members of the League, requesting the Governments of producing countries to forward the desired information and estimates, and the other Governments to communicate any observations on the matter which they might think fit to offer. The Governments of opium-importing countries were also requested to state specifically : the kinds and qualities of opium imported, the morphine content and degree of consistence of the imported opium and the purposes for which it is intended.

### (a) OPIUM (Circular Letter 234.1933.XI).

As regards the questionnaire relating to opium, the Secretariat had received by November 1st replies from the following thirty-three States : South Africa, Australia, Austria, Bolivia, United Kingdom, Canada, Chile, Czechoslovakia, Free City of Danzig, Denmark, Egypt, France, Germany, Hungary, India, Iraq, Irish Free State, Italy, Latvia, Lithuania, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Peru, Poland, Roumania, Siam, Sweden, United States of America, Uruguay, Venezuela.

However, only the following twelve States furnished particulars or statistical data : Bolivia, United Kingdom, Canada, Czechoslovakia, Danzig, Egypt, Germany, Hungary, Netherlands, Poland, Siam and Sweden.

India and the United States of America acknowledged receipt of the questionnaire and stated that they would communicate to the Secretariat the particulars and statistical data requested.

The other countries replied either that they had no observations to make or that they were not in a position to furnish the particulars and statistical data requested.

As, on the one hand, the chief producing countries have not sent any reply, and, on the other, a number of countries which are not producers but are the principal opium importers have not replied in their communication to the question mentioned above concerning the kinds and qualities of opium imported, the morphine content and degree of consistence of that opium and the purposes for which it is intended, the Committee will doubtless wish the Secretariat to send them a letter of reminder, requesting them to furnish this information, which is of the greatest importance for the preparation of the proposed Conference.

(b) COCA LEAVES (Circular Letter 229.1933.XI).

As regards the questionnaire relating to coca leaves, the Secretariat had received by November 1st replies from the following thirty-four countries : South Africa, Australia, Austria, Bolivia, Canada, Chile, Costa Rica, Czechoslovakia, Free City of Danzig, Denmark, Egypt, Germany, Hungary, India, Iraq, Irish Free State, Italy, Japan, Latvia, Lithuania, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Peru, Poland, Siam, Sweden, Turkey, United States of America, Uruguay, Union of Soviet Socialist Republics and Venezuela.

The four *producing* countries—Bolivia, Japan (Formosa), Netherlands (Netherlands Indies) and Peru—furnished detailed replies.

Among the *non-producing* countries, Germany, which imports and re-exports coca leaves, furnished statistics on certain points of the questionnaire ; Australia, Canada and Czechoslovakia gave particulars of their stocks of coca leaves ; Chile and the Union of Soviet Socialist Republics consider it highly desirable to limit the cultivation of the coca plant ; Uruguay is of opinion that stricter supervision should be exercised in the country over the consumption and particularly the supply of coca leaves, which can at present be delivered whole (*i.e.*, not powdered), and are not liable to any entry in chemists' shops and drug stores, thus making it impossible to ascertain whether they are used for the manufacture of beverages in the Uruguayan distilleries.

The other countries merely stated that, as they were not themselves producers, they had no information or observations to furnish.

In this case also, it may be necessary to ask for further information from some producing or importing countries.

## VII. PAMPHLET RELATING TO THE LEAGUE'S WORK IN COMBATING THE TRAFFIC IN NARCOTICS.

The Advisory Committee will note with interest that, following a proposal by the representative of Poland, approved by the Fifth Committee, the fifteenth Assembly expressed the hope that the report of the Fifth Committee to the Assembly (document A.51.1934.XI), summarising the work so far accomplished by the League in the campaign against narcotics, "will be published by the Information Section of the Secretariat, with the necessary changes or adjustments, in the form of a pamphlet for general distribution".

The Information Section of the Secretariat accordingly proposes to publish the report in question, adapted for the general public, as an annex to the *Monthly Summary* for the month of October 1934 issued by that Section.

### Appendix I.

#### APPLICATION OF ARTICLE 10 OF THE LIMITATION CONVENTION : EXPORT AND IMPORT OF DIACETYLMORPHINE.

1. The application of Article 10 of the Limitation Convention has given rise to certain difficulties which have formed the subject of correspondence between the British, French and Swiss Governments and the Secretary. In view of the unsatisfactory situation which this correspondence has revealed, the Secretary, in agreement with the representatives of the United Kingdom and Switzerland, desires to bring the matter before the Advisory Committee.

2. Article 10 reads as follows :

"1. The High Contracting Parties shall prohibit the export from their territories of diacetylmorphine, its salts, and preparations containing diacetylmorphine, or its salts.

"2. Nevertheless, on the receipt of a request from the Government of any country in which diacetylmorphine is not manufactured, any High Contracting Party may authorise the export to that country of such quantities of diacetylmorphine, its salts, and preparations containing diacetylmorphine or its salts, as are necessary for the medical and scientific needs of that country, provided that the request is accompanied by an import certificate and the quantity so exported is consigned to the Government Department indicated in the certificate.

"3. Any quantities so imported shall be distributed by and on the responsibility of the Government of the importing country."

3. It appears from the correspondence on this question that all the chief countries exporting diacetylmorphine—the United Kingdom, France, Germany and Switzerland—have found that, up to the present, very few importing countries have complied with the provisions of paragraph 2 of Article 10 of the Convention (a) that an import certificate for diacetylmorphine shall be accompanied by a formal request from the Government of the importing country asking that the exports should be permitted and (b) that the drug must be consigned to the Government department indicated in the certificate.

4. In these circumstances, each of these countries has adopted a provisional arrangement pending the compliance by the importing countries with the terms of Article 10, paragraph 2.

5. The Swiss Director of Public Health, in a letter dated June 27th, 1934, has indicated the procedure followed by the Swiss Government, which is as follows :

"On receipt from a particular country of the first request, after January 1st, 1934, for the export of diacetylmorphine, accompanied by a regular import certificate, the export authorisation has been granted. But the country, as well as the exporter, have been notified at the same time that, in future, no further export authorisation could be issued unless a request, in accordance with the second paragraph of Article 10, was received from the Government concerned and unless the drugs were consigned to a Government department indicated in the import certificate."

6. As regards the United Kingdom, the procedure adopted is as follows (letter from the British representative, dated September 7th) :

"The whole question was carefully examined earlier in the year and we decided to issue to all exporting firms a circular letter drawing their attention to the provisions of Article 10, and requesting them to bring the matter to the notice of their consignees in importing countries, with a view to their urging their Governments to make such arrangements as Article 10 requires. In the meantime, we felt that we could not refuse to issue licences for the export of diacetylmorphine under the old procedure, though each case receives special scrutiny. We gather that the French and German authorities are also sanctioning exports under similar conditions."

In his letter, the British representative indicated also that as regards the export of heroin to British colonies, or to the dominions, arrangements have been made by the British Government with the help of the various administrations concerned in order to comply with Article 10.

7. According to a letter, dated November 10th, received from the French Government, imports of diacetylmorphine as well as exports to manufacturing countries are completely forbidden in France. In 1933, exports to other countries were about 18 kg. The export authorisations bore the following notice :

"Delivered exceptionally, the importing country not having indicated upon its import certificate the Government department to which all export of diacetylmorphine should be addressed in accordance with Article 10, paragraph 2, of the Convention of July 13th, 1931."

## Appendix II.

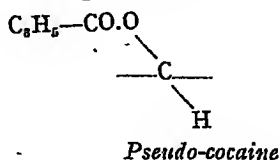
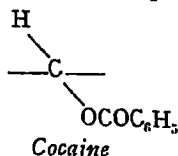
### (a) NOTIFICATION UNDER ARTICLE 11 OF THE LIMITATION CONVENTION OF THE MANUFACTURE OF A NEW DRUG, "DELCAINE".

1. The Secretary-General informed the Governments parties to the 1931 Convention and also the League's Health Committee, by Circular Letter 128.1934.XI, of July 20th, 1934, a copy of which is attached, that he had received a notification from the French Government regarding the manufacture in France of a new narcotic drug, "Delcaine", and that this notification was communicated under paragraph 2 of Article 11 of the Convention.

2. The Health Committee has taken the necessary steps in conformity with Article 11, paragraph 3, in order to be able to decide whether delcaine can produce addiction or whether it can be converted into a "drug capable of producing addiction".

3. According to the French Government's communication, delcaine is made from hydrochloride of dextro-rotatory pseudo-cocaine.

It may be added, according to the information furnished by Professor Tiffeneau, that pseudo-cocaine is a diastereo-isomer of cocaine; it possesses the same crude formula  $C_{17}H_{21}O_4N$  and the same plane formula. Only the formula in space differs :





Pseudo-cocaine can be prepared synthetically or by isomerisation of ecgonine followed by methylation and benzylation. The hydrochloride of pseudo-cocaine is *delcaine*, while the *tartrate* is *psicaine*.

4. Apart from the technical questions which are at present being studied by the Health Committee with a view to the application of paragraphs 3 to 6 of Article 11, this notification raises questions of the interpretation of Article 11 and of its administrative application, which the Advisory Committee may perhaps wish to consider.

5. (1) In a letter dated August 22nd, 1934, the Netherlands Government requested the Secretary-General to inform it whether *delcaine* was not identical with "*depscaine*" (= d-*psicaine* ?), which was already manufactured in the Netherlands before 1925; in which case, *delcaine* would not be one of the substances not in use in any country for medical or scientific purposes when the 1931 Convention was drawn up and Article 11 of that Convention would not apply to *delcaine*.

The substance described in the Netherlands communication by the term "*depscaine*" is probably *psicaine* (d = dextro)—that is to say, the tartrate of pseudo-cocaine. If this is the case, since *psicaine* and *delcaine* are two salts of pseudo-cocaine (one the tartrate and the other the hydrochloride), it is necessary to decide whether the Netherlands Government is right in saying that, as Article 11 does not apply to *psicaine*, which appears to have been manufactured before July 13th, 1931, it does not apply to *delcaine* either. In other words, it should be decided whether it is possible either from the legal or from a practical standpoint to make a distinction, as regards the application of the Convention, between two salts with the same alkaloid base.

(2) Nevertheless, it should be pointed out to the Health Committee that the question whether—if Article 11 of the 1931 Convention is not applicable—Article 10 of the Geneva Convention should or should not apply to *delcaine*, and if necessary also to *psicaine*, is not affected by the observations submitted by the Netherlands Government. According to the information at present in the possession of the Secretariat, the Health Committee does not appear to be in a position at the moment, in view of the slight experience it has had of the new drug, to reach a definite conclusion as to whether it does or does not give rise to addiction. It is, however, possible that the Health Committee may already be in a position to ascertain whether *delcaine* or *psicaine* can or cannot be converted into ecgonine or derivatives of ecgonine. If this conversion is possible, the Health Committee might perhaps be able to say that these drugs already come under the Geneva Convention and also under the Limitation Convention, since, in such a case, they would be covered by the definition of ecgonine given in Article 1 of the two Conventions:

"Ecgonine means *laevo*-ecgonine ((d) D 20° = -45° in 5 per cent solution of water) of which the formula is  $C_8H_{15}O_3N.H_2O$  and all the derivatives of *laevo*-ecgonine which might serve industrially for its recovery."

(3) As this is the first time that Article 11 of the Limitation Convention has been applied, the Committee, in view of the general supervision which it is called upon to exercise over the execution of the Conventions, may perhaps wish to examine some points of an administrative character arising out of this first practical application of paragraphs 1 and 2 of Article 11.<sup>1</sup>

In view of the last paragraph of the attached letter from the French Government to the effect that the latter has decided not to extend the provisions of the 1925 and 1931 Conventions to the purchase, sale and distribution of *delcaine*, but to exercise special supervision over its manufacture, that Government might possibly have taken the two-fold decision that "such product is not capable of producing addiction or of conversion into a product capable of producing addiction", in accordance with the second part of paragraph 1 of Article 11. It is not clear from the letter in question whether such a decision has been taken.

If it has not been taken, the second part of paragraph 1 of Article 11 provides that, pending the decision mentioned in Article 11, paragraphs 3 to 5, "the quantities permitted to be manufactured . . . shall not exceed the total of the domestic requirements of the country . . . for medical and scientific needs and the quantities required for export orders, and the provisions of this Convention shall apply". In this connection, the Advisory Committee pointed out in the Model Code that "an estimate satisfying the conditions laid down in Articles 4 and 5 of the Convention shall therefore be made by the Government *before a permit is issued* authorising the trade in or manufacture for trade of the drug in question". Manufacture for export can only take place to fill orders for export in accordance with the provisions of the Convention.<sup>2</sup>

<sup>1</sup> Paragraphs 1 and 2 of Article 11 read as follows:

"1. No trade in or manufacture for trade of any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf not in use on this day's date for medical or scientific purposes shall take place in any country or territory unless and until it has been ascertained to the satisfaction of the Government concerned that the product in question is of medical or scientific value.

"In this case (unless the Government determines that such product is not capable of producing addiction or of conversion into a product capable of producing addiction) the quantities permitted to be manufactured, pending the decision hereinafter referred to, shall not exceed the total of the domestic requirements of the country or territory for medical and scientific needs, and the quantity required for export orders, and the provisions of this Convention shall apply.

"2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the League of Nations, who shall advise the other High Contracting Parties and the Health Committee of the League."

<sup>2</sup> Report on the Work of the Seventeenth Session (document C.642.M.305.1933.XI, page 5).



In the light of this first notification under Article 11, it might be considered whether or not it is desirable to add to the note *ad* Article 11, paragraph 2,<sup>1</sup> in the Model Code a sentence somewhat as follows :

"In a case where a Government has determined that the product in question is not capable of producing addiction or of conversion into a product capable of producing addiction, it should clearly indicate this decision in the notification made by it to the Secretary-General, and should at the same time indicate the scientific data on which this decision is based, in order to facilitate the investigations provided for under paragraphs 3 to 5 of Article 11."

(b) NOTIFICATION BY THE TURKISH GOVERNMENT OF THE MANUFACTURE OF A DRUG SIMILAR TO PANTOPON AS REGARDS ITS COMPOSITION.

A letter dated September 29th, 1934, has been received by the Secretary-General from the Turkish Government notifying him, "in accordance with Article 11, paragraph 2, of the 1931 Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, that the trade in and manufacture of a new narcotic drug, named 'eitopon', have been authorised in Turkey. This product, which is manufactured in accordance with the Turkish Codex at the Malik Zefir Laboratory, 6 Göztepe (Istanbul), has a composition similar to that of the preparation known to medicine as pantopon."

To this letter, it is proposed to send a reply to the following effect :

"As this drug has a composition similar to that of the preparation known to medicine as pantopon it would appear to fall already under the Convention, being covered by the wording used in Article 1, paragraph 2(i) : 'Morphine and its salts, *including preparations made directly from raw or medicinal opium and containing more than 20 per cent of morphine*'. The words underlined in this definition cover all the drugs or preparations of the pantopon type.

"As the drug or preparation in question is already covered by Article 1, Article 11 is not applicable. In this connection, I venture to draw your attention to the view expressed by the Opium Advisory Committee in its Report to the Council on the Work of its Sixteenth Session that 'Article 11 is not applicable to the drugs which are already covered by Article 1 of the Convention, but only to the new drugs which do not come under the definitions of Article 1'.

"I propose therefore to regard your letter as a notification under Article 20 of the Convention. Paragraphs 1 and 3 of Article 20 read as follows :

"1. Every High Contracting Party in any of whose territories any of the drugs is being manufactured or converted, at the time when this Convention comes into force, or in which he proposes, either at that time or subsequently, to authorise such manufacture or conversion, shall notify the Secretary-General of the League of Nations, indicating whether the manufacture or conversion is for domestic needs only or also for export, the date on which such manufacture or conversion will begin and the drugs to be manufactured or converted, as well as the names and addresses of persons or firms authorised.

"3. The information furnished under this article shall be communicated by the Secretary-General to the High contracting parties."

"In order to enable me to make the communication to contracting parties which I am required to make under paragraph 3 of this article, I should be glad if you would be good enough to complete the information already furnished in your letter by informing me whether this drug is being manufactured for domestic needs only or also for export, and the date on which such manufacture will begin.

"I should be glad if, at the same time, you could inform me as to the basic morphine content of the drug."

<sup>1</sup> The text of this note to the Model Code, Article 11, paragraph 2, is the following :\*

"Paragraph 2.—The notification to the Secretary-General of the League of Nations provided for in paragraph 2 should be made in all cases, irrespective of whether the Government determines or does not determine that the product in question is capable of producing addiction or of conversion into a product producing addiction. It should be noted that, in all cases where manufacture of the new product involves the conversion of a drug covered by Article 1 of the Convention, the provisions of the Convention apply as regards estimates for, and control to be exercised over, such conversion.

"The notification referred to in the preceding paragraph should in all cases be accompanied by samples of the drug in order to permit the investigations provided for under paragraphs 3 to 5 of Article 11 to be made without delay"

\* See document C.642 M.305.1933.XI, page 5 (Report to the Council on the Work of the Seventeenth Session).

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